More Than Just An Election Issue

Election articles ..... pages 14-15

- Homeless Men Shafted ..... page 4
- Union at Governor's House ..... page 6
- GATT ..... page 7
- american genocide at law..... page 8

WORKS IN PROGRESS

VOLUME 5, NO. 7 | THURSTON COUNTY RAINBOW COALITION | NOVEMBER 1994 ■ FREE

"We must encourage creative dissenters. We must demonstrate, teach, and preach, until the foundations of our nation are shaken." MLK

An Interview with Linda Whitt

And Justice for All

Anne Crow

Linda Whitt is a candidate for Thurston County District Court Judge, Position 2. She has had 20 years experience in the criminal justice system. She is currently an attorney in private practice in Olympia, specializing in consumer and criminal law. The following are excerpts of an interview by Anne Crow.

Why are you running?

I'm running because our courts are in crisis and the same solutions, developed by the same individuals aren't solving the problem. My background and experience give me an unmatched perspective. I've worked with street gangs in Chicago and drug abusers in Montana. I've been a probation officer, a police officer, and both a prosecutor and a defense attorney. I believe that the more sides of a problem that you've seen, the better able you are to solve it.

How is District Court being run now?

Poorly. Kip Stilz's administration of the court system and his treatment of people leave a lot to be desired. His unwillingness to implement any new programs that might cut-down on the court's case load

Judicial attitude in court now is if they're arrested by the police, they must be...

...guilty. The attitude is, "I don't want to hear any excuses, and I'm just going to tell what the punishment is and in the process I'm not going to treat you very nicely." That's especially true of low-income people, of people who can't fight back. You never see this happening to somebody represented by a private attorney, never. It's only people who can't do anything about it.

I believe that the more sides of a problem you have seen, the better able you are to solve it.

How would it be different in your court?

I'm coming from a different perspective. I am not going to make the presumption that they are

(Continued page 15)

WIP Presents Labor, Environmental & Civil Rights Endorsements

Freedom Vote is an endorsement committee dedicated to promoting candidates for public office who are committed to guaranteeing equality in civil rights for gay men, lesbians, bisexual, and transgender individuals.

PO Box 7703
Olympia, WA 98507
(206) 943-4662

Washington Federation of State Employees Local No. 443 (AFL-CIO)
WFSE/AFSCME
1212 Jefferson St Suite 300
Olympia, WA 98501
(206) 352-7603

The Sasquatch Group of the Sierra Club is a local environmental organization that focuses on grassroot involvement in the local community. For over 20 years the group has been active in the following areas: water quality, waste reduction, growth management, ancient forests, political campaigns, and environmental education.

For more information call Lauri at 943-4471.

Thurston Environmental Action League, an affiliate of WEnPAC (Washington Environmental PAC), works to elect environmentally responsible officials, and promote sound environmental policy in Thurston County.

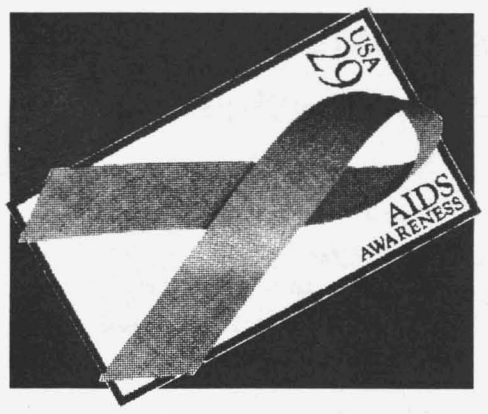
TEAL @ PO Box 6106
Olympia, WA 98502
(206) 352-2858
WEnPAC Box 85194
Seattle, WA, 98145

Endorsers		FV	TEAL	Sas	WFSE
U.S. House of Representatives					
3rd Dis.	Jolene Unsoeld	✔		✔	✔
9th Dis.	Mike Kreidler	✔		✔	✔
U.S. Senate					
	Ron Sims			✔	✔
Washington State Supreme Court					
Po. 1	Richard P. Guy				✔
Po. 2	Gerry Alexander				✔
Po. 3	Phil Talmadge				✔
State Senate					
Dis.t 35	Meta Heller	✔			
State House of Representatives					
22nd Dis., Po. 1	Sandra Romero	✔	✔	✔	
22nd Dis., Po. 2	Cathy Wolfe	✔	✔	✔	
35th Dis., Po. 1	Barbara Holm	✔	✔		
35th Dis., Po. 2		N			
District Court Judge					
Po. 2	Linda J. Whitt				✔

Endorsers		FV	TEAL	Sas	WFSE
Public Utility					
Dis. 1	Joanne McCaughan		✔		✔
Thurston County Commissioner					
Dis. 3	Dick Nichols	✔	✔	N	
Thurston County Prosecuting Attorney					
	John Bumford	✔	✔		
	Bernardean Broadous				✔
Thurston County Sheriff					
	Justus Freimund	✔			✔
Thurston County Clerk					
	Betty Gould	✔			✔
Thurston County Assessor					
	Kevin O'Sullivan	N			✔
	Ted May	N	✔		
County Coroner					
	Judy Arnold				✔

Key: "✔" = endorsement; "N" = Specifically, no candidates endorsed for race

Letters



More Resources for Fighting Right

Dear friend,

I'm in Olympia several days each month due to my work schedule. On those occasions I usually pick up and read a copy of your great newspaper.

Since I am concerned about the problems promoted by the extreme right wing, I found your article, "New Resources for Fighting the Right," on page 13 of the September issue very interesting. I commend you for providing this badly needed information.

However, there is one national resource which you failed to mention: *Challenging the Christian Right: The Activist Handbook* by Frederick Clarkson and Skip Porteous. I've found this huge loose-leaf publication to be both interesting and helpful. It is put out by the Institute for First Amendment Studies, PO Box 589, Great Barrington, MA 01230, and sells for $25 plus $3.50 shipping. This group is doing a great job by presenting accurate information about the threat posed by the right and I recommend them. Porteous is author of the fascinating biography *Jesus Doesn't Live Here Anymore: From Fundamentalist to Freedom Writer* (Prometheus Books, 1991).

Keep up the good work.
Dave Howard

Health Care System Needs Overhauling

Senator Phil Gramm says, "The American people were not willing to tear down the greatest health-care system that the world has ever known and rebuild it in the image of the post office."

This bit of hyperbole completely misrepresents the present situation in regard to health-care reform. The American people are willing to make major changes in the system; the present health-care system is not the greatest in the world, and Congress does not want to nationalize health-care.

Reliable public opinion polls show that most people are satisfied with their doctors, but a large majority call for drastic change in the health-care system, i.e. for universality and comprehensive coverage. We may have the highest capability of providing medical and surgical care in the world, but the "health-care system" is a shambles—insurance companies, solo practice, HMOs, government programs, Medicare, Medicaid, WIC, VA, private hospitals, public hospitals, and the emergency room.

This non-system takes 13.6 percent of the GDP and leaves 39 million people uninsured and 40 to 50 percent of our children without complete immunization. The United States is 22nd in infant mortality (fifth highest in the world) and 16th in longevity.

The health-care system is a national disgrace. And, as to "rebuilding it in the image of the post office," there is no bill in Congress which would nationalize or "socialize" health-care, certainly not Clinton's, Mitchell's, or Gephart's, all of which would operate through private insurance companies, private HMOs, and largely private hospitals.

The above statement by Senator Phil Gramm is pure demagoguery.
Joel Montague, Ph.D.

Works In Progress

Mission Statement: This organization is dedicated to promoting mutual understanding among diverse cultural groups and providing a voice for peoples disenfranchised by the dominant culture. We encourage the presentation of material by those most affected by exclusionary and unfair practices. Our aim is to explore the meanings of injustice and democratic participation in our society and in relation to the emerging global transition.

Anti-Discrimination Clause: We will collectively endeavor to be sensitive and respectful to all those oppressed in this society, and their issues. However, if and when we should make a mistake in this regard, we expect to acknowledge it and to express regret for injury or insult given.

The following statement will become part of the Editorial Policy and will be the governing tool for the Anti-Discrimination Clause: *WIP will make every effort to work with the contributor of material considered by WIP to be offensive in order to reach a mutually agreed upon resolution, but WIP reserves the right as a last resort to edit or not print submitted material.*

WORKERS IN PROGRESS

Jerome Johnson, Evelyn Montague, Zachary D. Lyons, Teresa Jennings, Pat Tassoni, Chris Russo, Greg Hohnholt, Sylvia Smith, Marie Smith, Dave Zink, Dave Campbell

Works In Progress is a community newspaper sponsored by the Thurston County Rainbow Coalition. Opinions expressed do not necessarily reflect those of the Rainbow Coalition or the Workers In Progress and are solely those of the authors.

Keep those letters and cards coming. Correspondence and articles are always welcome. If possible submit articles on disk (Wordperfect). WIP reserves the right to publish in whole or part all submissions; so for editing purposes please enclose your phone number. Send submissions to Works In Progress, PO Box 295, Olympia, WA 98507.

Help Works In Progress celebrate four years in print!!!

❑ Subscription - $25

❑ Please mail to me

❑ Donation - $15

Name _____

Address _____

City _____

State _____ Zip _____

Send to: Works In Progress, PO Box 295, Olympia, WA 98507

Musical Benefit for WHEN Friday, Nov. 25th

Backstage at the historic Capitol Theater in scenic downtown Oly

Bands in Order of Appearance

Aunt Betsy
Simple Ritual
Mr. Jones & the Previous
Engine 54 (formerly Acme Ska Corps)

Doors open at 8pm
Speakers at 8:30pm
Music starts at 9pm

Cover charge $4/all ages welcome

Proceeds to benefit the Washington Hemp Education Network. WHEN is a non-profit educational organization whose mission is to empower the people of Washington State, through educational activities, to make informed choices about the issues surrounding re-legalization of Hemp in Washington State.

For more info call Heidi at 352-6180.

Join Sweet Oasis Restaurant and the Bosnian Student Project

November 19
Multi-Purpose Room A
The Olympia Center

6:30pm Silent Auction
7-9pm Dinner and Entertainment

Come and bid for home cooked dinners, musical entertainments, homemade christmas ornaments and more

Mediterranean "Mezza" Dinner

Hummus, baba ghanoush, falafel, yoghurt and cucumber salad, stuffed grape leaves, pita bread, and dessert.

Cost is $15/ticket or $12/ticket of families (3 or more) Children five and under are free

Tickets available at Sweet Oasis and Four Seasons Bookstore or mail checks to: Olympia Fellowship of Reconciliation 5015 15th Avenue SE Lacey, WA 98503-2723. Make checks payable to Oly FOR and earmark them for benefit dinner.

Proceeds benefit the Bosnian Student Project. Call Glen at 491-9093 or Pam at 459-5340 for information.

Celebration of the Rainbow Coalition's 10th year in Washington State

The Washington State Rainbow Coalition will present

Rainbow Rhythms II - 1994
Friday, December 2

This multicultural musical/dramatic show will be held at the Museum of History and Industry in Seattle.

More information (e.g. which groups will be performing) will be in the next WIP. Call Nancy at (206) 392-8222.

WIP Schedule

WIP article submission deadline is:

Wednesday, Nov. 16

Also on that day, there will be a meeting at SPEECH (218 Fourth Ave) at 7 pm. Call 705-2726 for info.

Proofreading Meeting

Tuesday, Nov. 22 at 7pm
Downtown Timberland Lib

For advertising info call ad representative

Dave Campbell at 352-6132

Rates run approx. $7.50/inch

Discounts available

WORKS IN PROGRESS: PO Box 295 Olympia, WA 98507

Olympia Political Cultural Center

Peter Bohmer, Pete Kinney, Heidi Love, Laurie Meeker, & Richard Palmason

Dear Friend,

During the recent conference on Social Justice & Equality in Olympia the idea of a Political/Cultural Center emerged. We would like to invite you to an initial planning meeting to discuss the possibilities of such a center. People at the conference saw a great need for some kind of center that would provide a place for groups and individuals involved in progressive/left social and political movements to meet and build community. Some of the ideas that emerged for the center were that it could be a place for networking, socializing, political education & information, speakers, music, food & beverages, etc. In addition, people identified a need for childcare at such a center and suggested other functions like a lending library, computer access, and desktop publishing. People also expressed hope that the center would be centrally located as well as friendly and inviting for people of all ages and cultures.

The purpose of such a center would be to overcome the isolation and fragmentation of groups and individuals working on the left and to foster and revitalize an alternative political culture. The creation of a Political Cultural Center in Olympia will only occur if there is enough involvement by the people who might use such a center. We are committed to an open and democratic process that would develop the vision, funding strategies, and principles of operation.

Please join us to discuss this exciting possibility for the alternative political community of Olympia.

OLYMPIA POLITICAL CULTURAL CENTER
TUESDAY, NOV. 8TH @ 8:00PM
OLYMPIA TIMBERLAND LIBRARY
8TH & FRANKLIN (EAST ROOM)

You are welcome to join the Olympia Movement for Justice and Peace meeting which begins at 7:00PM, same day, same place For more information call Peter Bohmer at 956-1771 We hope to see you there!

Newly Successful Entrepreneur Helps Others Achieve Self-sufficiency

Charlene Prideaux-Geiszler

A woman who knows first-hand the painful experiences of domestic violence and homelessness has taken a unique approach to helping others facing such adversity.

Less than three years ago Evelyn Adams was another homeless mother in search of new opportunities. She and partner David Nissinen are now the proud owners of Naturally Bent American Primitive Furniture Works, a company producing unique chairs and furnishings fashioned from Pacific Northwest Red Alder. Today, Naturally Bent's products are distributed around the world and throughout the U.S. by Harden Furniture Co. of McConnellville, NY.

The success of their venture has fostered the partners' second effort, PRIDEcraft Co., which was founded to help transitional, financially-at-risk or homeless heads of households find second chances through self-employment in recycled materials and finecraft. PRIDE stands for Prioritize Resources Invested for Developing Employment.

PRIDEcraft offers a "work-study" program providing at-risk people with the skills to earn a living called, "The School of Lost Arts and Found Treasures." This innovative response to homelessness and helplessness provides participants with training, work space and materials followed by ongoing business skills mentoring. It is the program's goal to graduate participants within 90 days into their own home-based business or cooperative commercial workshops.

A directory showcasing these eco-art furnishings and accessories, fashioned from natural found and recycled materials, is now being published to support the graduates of the PRIDEcraft program. *The Brave New Wares Finecrafts Resource Directory* is available through PRIDEcraft, 304 5th Ave., Olympia, WA 98501-1015. Annual subscriptions are $16.

This fall Evelyn Adams will travel to design centers in New York, Los Angeles and Chicago to promote the PRIDEcraft concept. Her dream is to see similar resource and training cooperatives across the country. "We seek to empower transitional, at-risk, heads of households and homeless to become self-employed though hands-on training in various craft mediums. The creation of resource cooperatives will empower us all to choose brave new options for the future."

Evelyn will be available for interviews and tours of the School of Lost Arts and Found Treasures training/production facility.

For more info call 206/943-4121, fax 206/943-4146 or to order call 800/572-9348. ◆

Second Annual Northwest Coming Out Conference "Affirming Our Diversity: Living in Wellness"

Saturday, November 5th 10am to 4:30pm (registration 9:30am)
Sheraton Tacoma Hote l• ASI interpretation
Lunch will be included, specify vegetarian preference

Emcee: Judie Fortier

With Tacoma's Department of Human Rights, Judie has long been a leading advocate for women, children, and families in Pierce County.

Keynote Speaker: Raymond Dumas

Raymond is a founding member of Brother to Brother, and is currently a Community Organizer for the National Task Force on AIDS Prevention, organizing African American Gay and Bisexual men throughout the country.

Panel Theme: **Coming Out: "If" and "When", "Why" and "Why Not"**

Workshop Topics: • Gender Identity Issues • Spiritual Health • Power and Relationships • Surviving Homophobia in the Workplace • Managing Family Finances & Legal Issues • Non-Gay & Gay Coming Out Issues

Friends from the Lesbian/Gay/Bisexual/Transgender/Heterosexual communities are encouraged to attend!

Make out a check or money order, payable to South Sound Alliance, for $10 ($15 after Nov. 2nd or day of). Send to South Sound Alliance PO Box 8007, Bonney Lake, WA 98390. Scholarships available.

Co-Sponsors: South Sound Alliance, Pierce County AIDS Foundation, Brother to Brother-Tacoma This conference has been made possible through the funding of the Pride Foundation. For questions or to volunteer call (206) 924-1459.

Stonewall Youth Peer Support Group

Are you 21 or Under?

Are you Gay, Lesbian, Bisexual, Transexual or questioning your sexuality? If you're looking for a safe, confidential place to talk - **you are not alone**.

Stonewall Youth is a peer support group meeting for you. The purposes are to: Create a safe, trusting environment to discuss feelings and experiences; lessen the confusion and isolation many youth feel; provide a safe space for social interactions. Meetings are wheelchair accessible, in a confidential location.

For further information, call 705-2738, 24 hours a day. From 7 p.m. to 11 p.m., 7 days a week a trained volunteer will answer your call in person.

Stonewall Youth is here for you.

A public service announcement provided by Works in Progress

Amnesty International, Olympia's 7th Annual

AUCTION

Holiday gifts that give a second gift of hope.

FRI., NOV. 18th, 7-9 PM

Olympia Friends Meeting House
219 B Street, Tumwater

Donations by local merchants and the community.
Refreshments provided - No admission fee.

• Afternoon of Blueberry Picking • Concert Tickets
• Gift Certificates for Local Shops • Massages
• Framed Art Prints • Dinner Cruise on Budd Bay
• And many more!

For more information, call Pat at 754-7283

SINGLE HOMELESS MEN OF OLYMPIA ARE STILL GETTING THE SHAFT

TWO YEARS AND COUNTING

Greg Hohnholt

The Homeless Services Committee (HSC), a diverse panel of policy makers, service providers, advocates, politicians and one homeless representative, met on October 14 to formally (and unanimously) accept the nine component recommendation of the Housing Task Force. Among the components were a 24 hour resource clearinghouse, a crisis respite shelter, transitional housing, more Section 8 housing, prevention activities, and community responsibility.

Perhaps, since overflow shelter has only been established for women and families as of November 1st, 'community responsibility' is most decisive for Olympia's homeless single men. Especially since HSC Chairman Dick Hinkle emphasized on three separate occasions at this two hour meeting that the "HSC has no power." And, since additional shelter beyond the 70 beds offered by the Salvation Army is a vital component of the HTF recommendation, I would suspect that the homeless men at this meeting were saying to themselves, "Well, now, if he is saying that this committee hasn't got any power, just what the hell do I got?".

The answer's easy: *the shaft*, especially if you're one of the 120 men on the Salvation Army's "denial list". *The shaft* : the HSC is not planning to reconvene until mid-January. *The shaft*: the Salvation Army's "magnet theory," which states that additional shelter beds cause hordes of homeless men to relocate to Olympia, has won a default victory. *The shaft* : it's been over *two years* since the 4th Ave. bridge was closed off and Olympia learned the extent and nature of its homeless population was more than the Salvation Army could handle, and *still*, additional permanent shelter beds for single men have not seen the light of day. Even with the First Baptist Church generously buying time for Olympia to meet the basic, humanitarian need for emergency shelter for single men, we as a community have failed.

County-wide political impotency?

How could this potentially life-threatening situation be shrugged off by the Homeless Services Committee; the committee, presumably, that was intending to provide services to the homeless? In cases like this, I usually turn to history for clarification. You would do well to recall the origin of this curious conception of 'power' as defined by Mr. Hinkle. It was conceived last January, when Phase 1 of the HSC, the Homeless Services Community Task Force (HSCTF), empowered themselves with the responsibility of finding a replacement for the now-defunct First Baptist Church's Men Shelter. At the end of the HSCTF's eight week run, a three part plan was unveiled: twenty-nine additional beds at the Salvation Army, the creation of "specialty shelters" for those men that could not fit Salvation Army criteria, and additional housing hustled together by the Housing Authority.

Only the last component could be said to be a success, since (a) the specialty shelters never saw the light of day, and (b) the Salvation Army's antediluvian reformist policies were the primary reason why the homeless crisis continues to remain a crisis to this day. These ultimately disempowering policies were relaxed for a short time when the political heat was on Mike Allen and Company, but it didn't take long for Sally's favored Old Testament perspective to reassert its dominion on Plum St. when the weather got warmer and homelessness became a dormant issue once again.

With its Phase 1 work completed, the HSCTF decided to change its name to the Homeless Services Committee, to avoid confusion with the Housing Task Force. This name change, however, also included a change in direction: the HSC would be a "planning body," not a "doing body". It passed the ball off the Housing Task Force, another "planning body," which, as already stated, passed off their recommendation to the HSC on October 14th. Incredible, isn't it? It almost makes you think that nobody wanted to take responsibility for actually doing something.

The homeless men I've talked to are damn cold, and they're starting to feel that if they can't stay at Sally's, direct action is their only recourse.

The bottom line(s)

So, now that we have all that history cleared up, the question stares us again in the face: *what is the HSC going to do* ? Hinkle suggested that each individual HSC member take the Task Force 'recommendation' back to their constituencies to, presumably, gather support and develop funding strategies to implement it.

That's about it. Sit tight and wait, guys, we'll come up with something.

Sorry, it's not good enough. The homeless men I've talked to are damn cold, and they're starting to feel that if they can't stay at Sally's, direct action is their only recourse.

After two years of wrestling with this bureaucratic wrangle myself, I can understand their anger. I've also listened to the views of the Olympia City Council and members of the HSC, however, and I don't believe they are entirely negligent or uncaring. In my opinion, the silent villains in this whole political charade are Lacey and Tumwater City Councils and their respective mayors, who, with the notable exception of Walt Jorgenson of Tumwater City Council, have been content to sit back and let Olympia take all the heat instead of trying to work out an honest and fair regionalization of social services for the homeless. Also to blame is county commissioner Dick Nichols, who has failed to provide the leadership desperately needed to move this regionalization process along in a timely manner. (I now understand much better why HSCTF chairman Dick Nichols was so anxious to pass this responsibility on to Papa Hinkle). Last but not least, Mayor Bob Jacobs has also been deficient in the leadership category, as he has been content to let this stalemate between jurisdictions be representative of his mayoral agenda, which has also included preventing homeless use of the Federal building under the McKinney Act *at no cost to the city*.

We as a community can't let ourselves off the hook, either. For just under two years, I have been begging this community to come forward and make their voices heard on this issue. The only ones who have done so, if Mayor Bob Jacobs and Dick Nichols are to be believed, are those who demand that homeless men fit certain moral parameters before being given the privilege of not freezing to death. What is it that Rush Limbaugh calls this? "Tough love"? Curious kind of 'love,' if you ask me.

Well, after two years, maybe it was time I just shut up and left everyone alone. After all is said and done, why should you, or the HSC, or the city council, or even *Works in Progress* have to deal with this? I guess its up to the homeless to empower themselves now. ◆

"When you start dealing with real change, you are talking about interfering with those who are in possession of something."

– Kwame Nkrumah

the WASHINGTON FEDERATION OF STATE EMPLOYEES AFSCME • AFL-CIO

Make Your Impact On The World!
Join the Washington Federation of State Employees Today!
AFSCME • AFL–CIO
PO Box 105 Olympia, Wa 98507 Phone 943-1624

KAOS
Olympia Community Radio 89.3 FM
Breakfast Special
Monday - Friday 6 - 9 a.m.
~featuring~
Monitor News, National Native News, Crossroads, the weather, event calendars and KAOS' unique diverse musical offerings.
For a free program guide,
call 866-6000, extension 6894

Baseball Blues

Jerome Johnson

When I was a kid growing up, a baseball strike was unthinkable. If you had told me that it was even possible, I would have stared at you in shock and disbelief. And if you'd told me that such a strike would come not over safety issues or collective bargaining but about millionaires quibbling over their profits, I would have laughed and suggested you go on "Laugh-In"–anyone who could tell a whopper like that deserved fame and fortune. That's because to me and the other kids on my street baseball was more than a game or a job. As kids we couldn't quite define it, but we knew what it was. It was a magic feeling, a place where strange and wonderful things could happen, and we loved it.

Our street ended in a cul-de-sac. Our field was the last section of the street, with home plate backing an intersection and the far end of the cul-de-sac as center field. First base was on the right curb, second was in the middle of the street, and third was on the left curb. In those days there was so little traffic that we could play several innings at a time without having to pause for cars. We used pieces of cardboard for bases, and when we didn't always have a softball, we'd use a tennis ball. Some of us didn't always have mitts, so we shared, and we had a couple of wooden bats (I used the short one). We'd start at about 9:30 or 10, play until lunch, eat, then come back and play until it was too dark to see. Four to a dozen of us at a time would play; sometimes a parent or one of the Greeners from down the street would join us. There was a real field at our school barely a mile away, but we always played on our street. Line drives ricocheted from the curbs, fair balls bounced off cars and became foul. We couldn't slide and we couldn't steal. Sometimes it got a little hard if we were playing two-on-two, and both players got stuck on base. We'd imitate the growled calls of umpires and the fast patter of the sportscasters, and pretended to be our favorite stars.

And we had more fun than you could shake a stick at.

We kept score, but winning or losing didn't really matter. The game itself and how we played did.

We [kids] kept score, but winning or losing didn't really matter. The game itself and how we played did.

And come October, when it was too cold and dark to play late, we'd go home and watch the World Series. For a few nights the big-leaguers would be just like us—liking to win, but knowing that it was how well we played that mattered most; after all, there would always be another game. Just the *chance* to play in the Series meant more than money and egos and most anything.

Not so these days. Now millionaire players disagree with millionaire owners about how to make and share more millions. Both groups would rather shut down baseball for the season—Series and all—than negotiate like mature adults. The fans and vendors get screwed, but hey—you gotta understand, this is a billion-dollar industry.

Actually, I *do* understand. That's why, unlike many people, I don't see the strike as being The End of Baseball. Quite the contrary, and here's why:

The owners will make their regular calls for players to show up to spring training. Those that don't show will get fired and replaced by players from the minors. The fans and vendors will be happy, because baseball will resume. The owners will be happy, because rookies from the minors aren't paid as well as millionaire prima donnas and so reduce labor costs and increase profit. Players will be happy to have jobs.

And the unemployed millionaire players? Hell, they'll be all right.

The other kids from my street are gone now, yuppiefied into marriages, mortgages, jobs and children. It is October, the night air crisp as I walk the streets of my old neighborhood, and I cannot help but smile.

In all those years, we never once broke a window.

Jerome is Coordinator of the Thurston County Rainbow Coalition. ◆

SOCIALLY RESPONSIBLE INVESTING

Take stock in the youth of our community.

Volunteer as a Shelter Parent for local Runaway & Homeless Youth

"For these are our children... We will all profit or pay for whatever they become."
James Baldwin

Call Susan Moore to apply - 943-0780

COMMUNITY YOUTH SERVICES
where directions change

824 Fifth Avenue S.E.
Olympia, WA 98501
943-0780

Fast Food
That's Good For You...

Olympia Food Co-Op East
Salad & Sandwich Bar
Open 11:00 - 7:00 Daily

Two Great Stores to Choose From --
Westside: 921 N. Rogers, 754-7666
Eastside: 3111 Pacific, 956-3870
(Right Next to Boone Ford)

The Olympia Food Co-op

Locally Owned and Operated by Your Friends and Neighbors

Open Everyday * 9 AM to 8 PM!

ALWAYS SAFE & LOCK, inc.

* Locks / Safes / Doors
* Doors & Frames
* Foreign and Domestic Auto Locks
* Fire Extinquishers
* Guaranteed Keys

301 West 4th 357-8500 & 800 Sleater-Kinney 458-8500

The Governor's House Tug of War

Stephen Tassoni

On December 31, 1993, the security and comfort the Front Desk staff of the Ramada Inn Governor's House had come to know for a year, was in question. That day marked the end of a contract that promised and upheld fair relations between a corporation, Northwest Lodging, and its employees. Soon prospective representatives from both sides, Teamsters Union Local No. 378 and Northwest Lodging would embark on contract negotiations to try and achieve some common ground that would replace the feeling of apprehension and uncertainty.

As of October 23, 1994, there still does not exist a document that both sides have been able to agree upon. In fact, the last two meetings have been cancelled by Northwest Lodging. And there may not be a future meeting until an agreement is made. now stop me if I am wrong, but isn't the purpose of a negotiation to iron out all the conflicting amendments until a bargain is reached?

Although there is no new contract right now, the Ramada Inn's Front Desk staff is still operating and protected under last year's contract. And this will continue to be in effect until an agreement can be reached. "I think what Northwest Lodging is trying to do," says Owen Linch, Secretary/Treasurer of the Teamsters Union 378, "is get the negotiations at an impasse." The effect of an impasse on the Front Desk staff would be that the contract would no longer protect them. It would put the power of unprotected free will in the hands of Northwest Lodging.

"However, this will not come about," guaranteed Owen. Because the only way to reach an impasse is if al negotiations have been laid on the table, and neither side is willing to budge or offer up new revised proposals. "I will always have something new to admit to the negotiations," Owen said. If, in fact, an impasse is reached, then the corporation has won.

In the past two months, the Ramada Inn has hired two new non-union Front Desk employees [and]...have been trained on all shifts at the desk and are capable of filling any openings due to a union strike.

In the past two months, the Ramada Inn has hired two new non-union Front Desk employees, of which I am one. These two new employees have been trained on all shifts at the desk and are capable of filling any openings due to a union strike. It may be a way of the Inn covering their bases in case the worse scenario were to come about. The management at the Inn has a responsibility to any nw employee to inform them when union membership is available. They haven't informed them at all. In fact, the way I found out that the membership date had passed was to make an independent trip down to the Union office.

Some of the issues that Northwest Lodging and Teamsters Local Union 378 have not been able to resolve because, in part, they take away some perks from management as well as some of the responsibilities the employer has to the employee:

- Employees will be responsible for their own parking. Although the Ramada's parking lot sits empty a majority of the time, the employees would be expected to pay two dollars every day they worked.
- The guaranteed employee meal received for working would be taken away, which means that every employee must spend money out of his/her own pocket.
- Cutting the Front Desk personnel down to three full time employees, each being obligated to work an eight hour shift. But what if it's too busy that extra employees are needed? Don't worry, the limited staff will be saved by non-union supervisory and management personnel.
- Because the Ramada believes in a drug free environment, there will be a mandatory alcohol and drug program. (!) Are managers subject to this inquisition of personal space and time?
- Finally, there will be no unauthorized overtime. That means if it's 2:00 am, and my shift is running long, will I be able to get a hold of a manager to authorize it? I have some doubts about that!

Within the next few months, State Legislation starts again, and from my understanding, it's going to be a long one. There will be an aggressive campaign launched against the Ramada Inn in hopes of detouring business. After all, this is a government town and the Legislators and Lobbyists contribute a vast sum of money to all sorts of businesses in the area. So in the future, if you should see picketers, honk you horn, shout, yell, wave and applaud the union representatives that are trying to keep one of the greatest institutions alive. Hopefully, though, it won't come to this. ◆

St. Martin's College Adopts Benefactor's Position Instead of Catholic Teaching

WIP News Service

St. Martin's is a Benedictine (Catholic) College in Lacey, Washington. They have received significant financial contributions from U.S. Tobacco (Ste. Michelle Winery) and each fall put on a wine festival featuring Ste. Michelle and other wines. Three years ago, farmworkers asked for a boycott of U.S. Tobacco wines after being denied unions for four years. The boycott was established. It is supported by Washington Association of Churches and Washington State Catholic Conference (Archbishop and two bishops).

In spite of the official Catholic position in support of the farmworker boycott, St. Martin's College accelerated their support of the U.S. Tobacco winery by adopting the winery's position on farmworker unions (need state legislation first). Most recently the College has decided to prevent farmworker interaction with wine festival patrons and have threatened arrest and prosecution of farmworkers and their supporters at the wine festival on Saturday, October 29th.

Bob Zeigler, a local Catholic activist and neighbor of St. Martin's College said:

"I have tried for the last year to have St. Martin's College respond in some way to the needs of farmworkers. I had hoped that even if they could not support the boycott, they could do something, even if it was something small, like having a sociology class study living and working conditions of farmworkers. Even this proved unsuccessful.

"St. Martin's College position is contrary not only to the Washington State Bishops' positions and also contrary to a wide body of Catholic Social teaching on the topic that covers 3,000 years of Judeo-Christian thought. Support for farmworkers is mandated from the Old Testament book of Deuteronomy all the way to encyclical letters of Pope John Paul II and Pope Paul VI. The American Bishops Letter on the Economy stated that farmworkers had a right to farmworker unions and that farmers must end their opposition.

In spite of the official Catholic position in support of the farmworker boycott, St. Martin's College accelerated their support of the U.S. Tobacco winery...

"St. Martin's is also being inconsistent with the Catholic Social Teaching on property. According to Catholic teaching, property is not an absolute or unconditional right. Still St. Martin's is threatening to have farmworkers or their supporters arrested for trespass. And this is at an event open to the public.

"Chateau Ste. Michelle has a PR effort and while saying they will allow a union election, they are intensely intimidating workers so the winery can control the vote. Ste. Michelle has said they wanted State legislation directing farm worker unions but the legislation they support controls farmworkers and is not a full union. St. Martin's has followed in this same approach. They said the farmworkers could have a table but the table would be across the drive where there is no foot traffic and it would be in the wind and rain.

"It is really sad to see good people sell out on their principles as St. Martin's is doing. I see the dropping of principles for money or power a frequent situation in Catholic institutions. While I know it's not just occurring in the Catholic Church, I do think this selling out is the reason the Church is largely irrelevant in today's society.

"As a Catholic I am embarrassed by the actions of St. Martin's College and Abbey. I wonder how Saint Martin and Saint Benedict would feel?

"I encourage people not to attend St. Martin's wine festival. If they want they can send the College a contribution to the scholarship fund but they should not attend the event. They should send a letter to St. Martin's telling why they are not attending! I would also encourage persons to join the picket starting at noon at the festival (Sat. October 29th) on the public sidewalk on Pacific Avenue."

At U.S. Tobacco wineries (Chateau Ste. Michelle, Columbia Crest, Farron Ridge, Snoqualmie, and Allison Combs), the mostly white bottlers and other interior workers do have union representation and make three times the salary of the mostly Hispanic vineyard workers who are not allowed union representation. The white (interior) workers receive overtime pay, have pensions and cannot be dismissed without cause. None of these rights are extended to the mostly Hispanic field workers. The unfairness led to the struggle for farmworker unions.

Contact Persons:

United Farmworkers of Washington State

Kurt Petersen (staff) (509) 839-4903
David Maretinez (509) 839-4903
Olympia Farmworkers Justice Committee Sheila Payne (206) 352-2153

Catholic activist:

Bob Zeigler (206) 491-7050 (H)
(206) 753-3188 (W)

St. Martin's College:

Dr. David Spangler, President (206) 491-4700 Abbot Neal Roth, Abbot (206) 491-4700 Shawn Newman, Attorney (206) 357-4737 ◆

GATT AND THE WTO

The Global NAFTA

Michael MacSems

The politicians and the media had the country in a frenzy this summer over health care, crime, and welfare reform legislation. While public attention was focused on those worthwhile issues, the Clinton administration has been pushing through legislation that may have an even greater impact on the country in the long run—i.e. the General Agreement on Tariffs and Trade (GATT). At least there was a big public debate over NAFTA. There has yet to be a similar discussion over GATT, even though its impact will be larger. Whether one agrees or disagrees with GATT, everyone ought to support a delay in rushing the legislation into law prior to an extensive debate.

Those who liked NAFTA, will love GATT. GATT represents the corporatization of the world economy. If NAFTA represented the rationalization, increased centralization and concentration of capital in North America, GATT represents the same pattern on a worldwide basis.

...the House vote date to be November 29th, and the Senate's to be December 1st. This gives Progressives, and others, a short but vital window of opportunity to raise a vigorous public debate on the issues...

In September of 1986, economic negotiators representing 105 countries met at a resort in Punta Del Este, Uruguay. Negotiations since that time are known as the **Uruguay Round**. The agreed upon objectives of its participants were the liberalization of trade involving all goods and services and the strengthening of GATT's authority in dealing with disputes among member nations, as well as overseeing their trade policies.

The original GATT contract of 1947, signed by President Truman, was a contractual agreement among members on a voluntary basis. GATT was not a binding agreement and the U.S. did not have to conform to the restrictions and guidelines instituted under GATT.

On April 15, 1994, in Marrakesh, Morocco, Mickey Kantor, U.S. Trade Representative, and the now 124 member nations, signed what is known as "The Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations." The committees that formed at the outset of the negotiations were to negotiate an agreement on textiles/apparel, agriculture, intellectual property, services, subsidies, dumping and countervailing measures, tariffs, and strengthening GATT rules.

The primary goals of the U.S. negotiators, it seems, were to open up trade in services. They negotiated a system to protect intellectual property rights, as well as open up markets in other countries, particularly in the third world; the significant objective was to open up investment in these countries primarily for the sole interest of U.S. insurance companies and banks.

The primary negotiation tools were in two major areas—textiles/apparel and agriculture. In order to meet the fast track deadline of December 15, 1993, the U.S. trade negotiators gave up the form. The most serious errors committed during the Round were the obvious failure to address workers rights and labor standards (even though U.S. legislation authorizing trade negotiations has called for international protection of workers rights since 1974). The Round could have contained many provisions that would allow free trade without subjugating worker's rights and labor standards.

The new GATT establishes a new global trade tribunal called the World Trade Organization (WTO), which will have increased power, closed procedures, and a mandate to assure the supremacy of trade imperatives over health, safety, and other living standards. The WTO will operate under a no-veto, one-nation, one vote procedure.

The WTO will greatly expand trade rules to impose new restraints on many **non-tariff** policies, such as consumer, environmental, and work place conditions, which traditionally have been controlled domestically; and it will significantly strengthen secretive dispute resolution mechanisms, guaranteeing stricter enforcement of the global trade disciplines (sanctions) over domestic laws and policies in every country, including the U.S.

The WTO will also **undermine citizen control** and kill the ability of domestic state and federal democratic bodies to make future improvements for a vast array of domestic polices, from food safety, to federal and state procurement, to communications, and public investment policies. Indeed many existing laws may be rolled back in the name of "**Harmonizing**" all laws that could possibly be construed to restrict the products of one country from being sold in another. The European Union has already identified dozens of U.S. laws it plans to challenge through the WTO. These laws include the Marine Mammal Protection Act, the Nuclear Non-Proliferation Act, and California's Safe Drinking Water Act.

The bill to implement GATT-WTO, H.R. 4206, was introduced by Rep. Ralph Regula, (R-16-OH) and co-sponsored by Rep. Norman Mineta (D-15-CA). Due to fast track provisions, the 60 page bill can not be amended in any way; only a straight up or down vote will be allowed. The House and Senate were expected to vote on the bill in early October, but chose to duck the vote in an effort not to offend the electorate prior to an election. Instead Congress voted to take up the matter in a lame duck session. The press has widely reported the House vote date to be November 29th, and the Senate's to be December 1st. This gives Progressives, and others, a short but vital window of opportunity to raise a vigorous public debate on the issues involved, and hopefully stop GATT. Some have argued that a lame duck congress has no right to vote on an issue of such magnitude, as many of the members will be leaving office in January. A cry to delay the vote until 1995 may be bolstered if the public becomes aware that GATT will require a $43 billion budget waiver, or equal spending cuts, to make up for the projected loss in tariff revenues over a ten (10) year period.

OLYMPIA GATT AWARENESS

Olympia GATT Awareness is a decentralized, ad hoc, group of local citizens who are working to raise the level of public knowledge and debate around GATT. Olympia GATT Awareness is dedicated to the democratic responsibility of speaking out on matters of profound importance, be that through talking to friends, neighbors, and co-workers, through the media, canvassing in public places, or direct lobbying of elected representatives. This is an opportunity to be creative. We all have much to lose if we remain passive on this critical issue. For more information, or to get involved, call Olympia GATT Awareness at 754-9585.

This article was adopted from an article by Julie E. Harris & the National Rainbow Coalition ◆

Statement by the AFL-CIO Executive Council on Uruguay Round Implementing Legislation

The AFL-CIO urges Congress to reject the implementing legislation for the Uruguay Round trade agreements of the General Agreement on Tariffs and Trade (GATT).

The Uruguay Round offers little, if anything, positive to working people and their communities. Millions of American workers have already suffered greatly from the damaging effects of unfair and inequitable trade. For many Americans, the agreements will mean enormous economic disruption and job loss.

The GATT implementing legislation will do nothing to alleviate the United States' huge annual trade deficit, which, this year, is expected to be the second highest in the nation's history at more than $135 billion. It will also limit the ability of the U.S. government to fashion policies and take actions that could bring some relief from growing trade deficits.

Additionally, the AFL-CIO is opposed to adding to the GATT implementing bill an unconditional fast track extension, so-called "NAFTA parity" for Caribbean countries, and a renewal of the Generalized System of Preferences that lacks substantive reforms.

The Uruguay Round did nothing to address the cruelest and most prevalent unfair trade practice of all—the suppression of worker rights by governments seeking a low-wage, low-standard "comparative advantage" on the world market. World trade will not significantly improve living standards in the underdeveloped nations unless and until multilateral trade agreements enforce the rights of working people to associate freely, to form unions, to share in economic progress and thereby to create broad markets for goods and services. Any future negotiation must correct this flaw.

For two decades, through successive Republican and Democratic administrations, U.S. policy has directed the Executive Branch to seek the inclusion of enforceable worker rights and standards in trade agreements. We are deeply dismayed at the Clinton Administration's willingness to bow to the wishes of congressional Republicans and the business community by agreeing to severely weaken the link between worker rights and trade negotiations. ◆

Tell our advertisers
you saw their ad
in WIP!!

11 OLYMPIA FILM FESTIVAL
NOVEMBER 4–13 1994

AMERICA'S GENOCIDE-AT-LAW OF NATIVES, Part II

The Harsh Phrase "Genocide Begins/Continues"

Tiokasin Veaux

The centralizing feature of tribes are reserved and inherent sovereign rights based on separate, if unequal, political status. Approval is defined through the hundreds of treaties and agreements recognized in thousands of pieces of legislation and explained in hundreds of federal court opinions. The bilateral political links that resulted between various Indian tribes and the colonizing

The Courts refusal to seriously examine congressional enactments violative of treaty property rights was a most oppressive blow, especially since the treaty route had been closed off in 1871 and since tribes remained outside the constitutional environment.

European nations, and later the fledgling United States, were considered crucial by each of the European and European-derived nations in their quest for one or more of the following: trade goods, unconverted tribal souls, or geographic and political dominance. I will not repeat the magnitude of tribal destruction that followed as a result of these close encounters of the European kind.

In the first three decades of the 19th century, the bench of John Marshall, the third chief justice, were responsible for vocalizing the underpinning of doctrines and legal cloaks that currently form the boundaries of tribal-federal-state relations. The cases of Johnson vs. McIntosh (1823), Cherokee Nation vs. Georgia (1831), Worcester vs. Georgia (1832) asserted the american definition of: 1) tribal property rights; 2) tribal political status in relation to the states; and 3) tribal status in relation to the federal government.

The United States, following the established rationalized, intellectual course wandered by other European nations, asserted "legal" ownership of north american Indian lands on the basis of the "doctrine of discovery." John Marshall underscored a bizarre doctrine in admission:

> ***However extravagant the pretension of converting the discovery of an inhabited country into conquest may appear;*** *if the principle has been asserted in the first instance, a afterwards sustained; if a country has been acquired and held under it; if the property of the great mass of the community originates in it, it becomes the law of the land, and cannot be questioned. So too, with respect the concomitant principle, that the Indian inhabitants are to be considered merely as occupants, to be protected, indeed, while in peace, in the possession of their lands, but to be deemed incapable of transferring the absolute title to others. However this restriction may be opposed to natural right, and to the usages of civilized nations, yet, if it be indispensable to that system under which the country has been settled, and be adapted to the actual condition of the two people, it may, perhaps, be supported by reason, and certainly cannot be rejected by courts of justice*, (Ibid., p. 591-2).

The case of *Johnson vs. McIntosh*, seems to supplement the Monroe Doctrine issued the same year of 1823. The Monroe Doctrine defined the U.S. role in the international community by sealing off the Western hemisphere from further European imperial incursions. A combination of both doctrines: the Monroe principles-Indian properties became a matter of domestic policy. In effect, "Indian property was the subject of federal control, whereas Indian political existence remained outside the reach of the federal government-except where it chose to embark on a path of conquest and incorporate Indians within it. And since the United States initiated no wars of conquest against tribes, no mechanism existed, nor has any been developed since, by which Indian tribes could be incorporated into the constitutional context," Jules Lobel, *A Less Than Perfect Union*, 1988.

Do Indians constitute a foreign state in the sense of the constitution, since clearly they were/are not a state of the union?

The Chief Justice John Marshall did not accept prevailing opinions of tribes as either foreign nations, or as subject nations. If he acknowledged "foreign nations," tribes would be totally free of any guise of federal control. If he declared them "subject nations," they would be at the mercy of the states. In Supreme Court opinion, he states [Indian] people *owed* no allegiance to the United States because of their composite and pre-existing political status and treaty relations with the federal government, the majority was of the opinion that an Indian tribe or nation with the United States was not a foreign state and could not maintain an action in the Supreme Court.

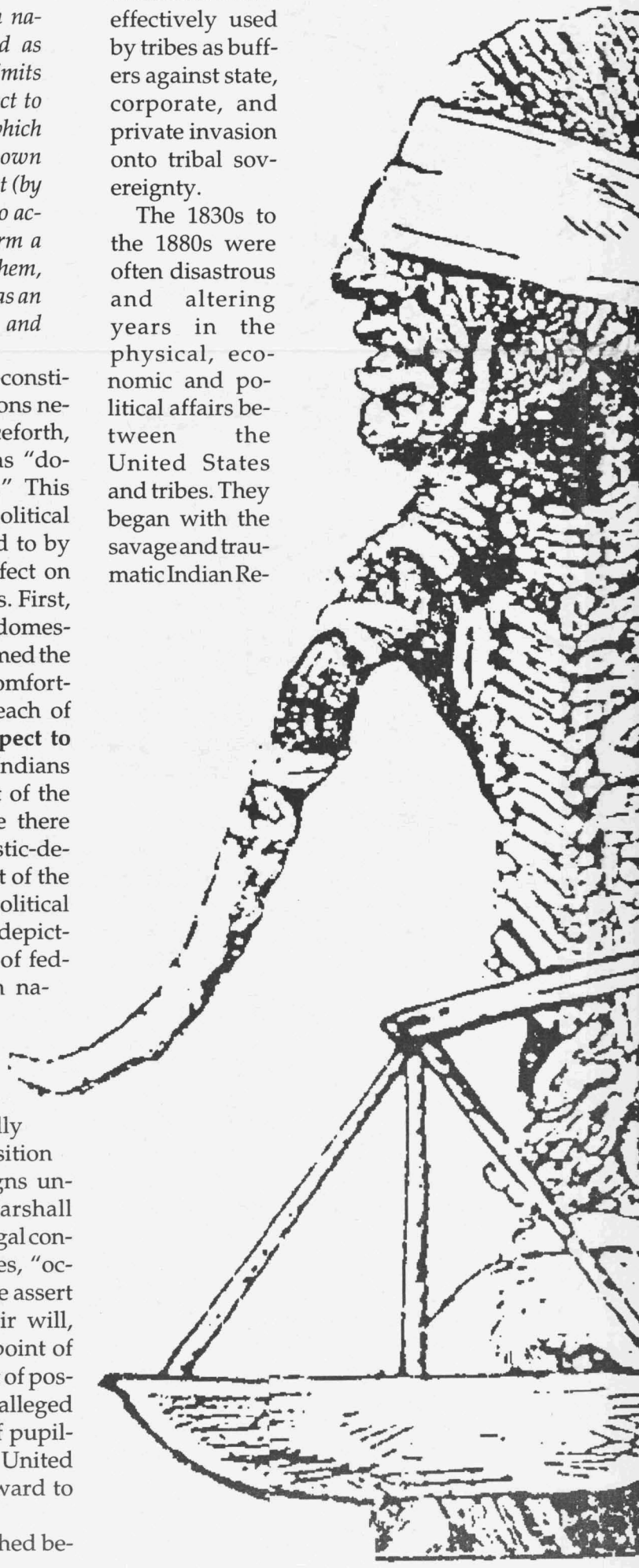
"The condition of the Indians in relation to the United States," said Marshall, "is perhaps unlike that of any other people in existence. In the general, nations not owing a common allegiance are foreign to each other. The term **foreign nation** is, with strict propriety, applicable by either to the other. But the relation of the Indians to the United States is marked by peculiar and cardinal distinctions which exist nowhere else." This peculiar distinction between the tribal-federal relationship stemmed from the geographic location of the tribes in proximity to the United States. Marshall then said:

> *The Indian Territory is admitted to compose a part of the United States...In all our intercourse with foreign nations, in our commercial regulations, in any attempt at intercourse between Indians and foreign nations, they are considered as within the jurisdictional limits of the United States, subject to many of those restraints which are imposed upon our own citizens...(and) any attempt (by another European nation) to acquire their lands, or to form a political connection with them, would be considered by all as an invasion of our territory, and an act of hostility."*

The non-foreign, yet non-constitutional status of tribal nations necessitated a new term: henceforth, tribes were denominated as "domestic-dependent nations." This watering down of tribal political status, again, not consented to by tribes, has had a lasting effect on intergovernmental relations. First, this description of tribes as domestic-dependent entities informed the world that tribes existed "comfortably with the protective reach of the United States **with respect to foreign nations**, but (that) Indians (were) not themselves part of the United States." Also, since there was no category of "domestic-dependent nations," the result of the case was to assert federal political power over tribes without depicting any corresponding set of federal responsibilities Indian nations could expect the U.S. to ever meet. Second, since tribes were denied status as "foreign nations" they were virtually barred from benefits or position accorded to other sovereigns under international law. Marshall built upon the misleading legal construct of "discovery." Tribes, "occupy a territory to which we assert a title independent of their will, which must take effect in point of possession when their right of possession ceases." He then alleged that tribes "are in a state of pupilage. Their relation to the United States resembles that of a ward to his guardian."

The relationship established between the United States and the tribal nations, the regulation, according to the settled principles of the 'constitution', are committed exclusively to the government of the union. These principles are in direct hostility with treaties, also it should be kept in mind that tribes are not parties to the elaborate pronouncement of the federal government's trust responsibility. The principles speak of federal supremacy; the viability of Indian treaties; a definition of "discovery" which asserts that it is merely an exclusive principle which grants americans the preemptive right to purchase Indian land, not one which could annul the previous rights of those who had not agreed to it; a definition of tribes as "nations" who are alike in basic senses with other nations of the world have been effectively used by tribes as buffers against state, corporate, and private invasion onto tribal sovereignty.

The 1830s to the 1880s were often disastrous and altering years in the physical, economic and political affairs between the United States and tribes. They began with the savage and traumatic Indian Re-



moval era, continued through the years of "Manifest Destiny," and climaxed in the United States having to adopt new policies (beginning with Indian reservations, the transfer of Indian affairs from the War Department to the Interior, the cessation of Indian treaties and ultimately the allotment of tribal lands and the attempted "americanization," Christianization, and assimilation of Indians into Western society) to deal with the scores of heretofore unknown tribes that were now physically incorporated into the geographical boundaries of a greatly enlarged U.S., *Alternative to Extinction*, Robert A. Trennert, Jr., 1975.

The political question rule, until 1980, had been used by the Supreme Court as a rationale to **exclude** from review the following issues of importance to Indian tribes: the status of Indian nations, the validity and operation of Indian treaties under international law and foreign constitutional law, the power of Congress to legislate over people and their territory, the historical claims of tribes against the United States, and the title to Indian lands. The application of this doctrine to Indian affairs was an unquestionable pigeonhole of Indian matters within the field of foreign relations for over 100 years **after** the United States unilaterally stopped making treaties with tribes in 1871, evidently because tribes were no longer seen as a national identity. Ironically, while tribes were being subject to the same legal disabilities as foreign nations with regard to application of the political question doctrine they were also being denied the benefits that accompany foreign national status.

Finally, we arrive at the single most profound and unusual "doctrine" in the field of Indian law: congressional plenary power as regards to tribal nations. From the beginning of United States dealings with tribes until the late 1860s it was a constitutional assumption that Congress, because of the Commerce Clause, had exclusive (read: plenary) authority over Indian affairs against competing states and private individuals who often challenged federal authority.

By the late 1860s, with the reservation policy in full swing and with tribal military power waning, Congress and the Bureau of Indian Affairs began to think of new policies that were designed to educate, indoctrinate, Christianize, and later individualize Indians. The point of policy to "americanize" Indians was the imposition of Western criminal jurisdiction over Indian parties. In 1885 Congress enacted the Major Crimes Act, which unilaterally declared that federal courts would now have jurisdiction over Indian or non-Indian parties committing any of seven major crimes in Indian country. This was a major encroachment upon tribal sovereignty. Unable to locate a constitutional basis for its decision to allow federal imposition of criminal jurisdiction into Indian country, the court instead crafted a cunning and bizarre two-pronged explanation: alleged Indian helplessness and federal ownership of land.

...the Court created a falsehood of a national security question when it alleged that the United States "in a possible emergency" needed unlimited power to act. No specific "emergency" is ever described by the justices.

The Court said that federal power over these "weak" peoples was "necessary to their protection, as well as to the safety of those among whom they dwell." This power, the court held, "must exist in the (U.S.) government, because it never existed anywhere else." The beginning of plenary power defined as "virtually absolute," was a stunning blow to tribes. Stunning because in addition to relying on extra-constitutional, it was a formal disclosure that "henceforth there would be **no** constitutional limitation on the federal government in its dealings with Indian tribes", Deloria, 1988. Questions must be raised. First, how could Congress legitimately apply its laws to tribal citizens and into Indian country, which until that time had not been subject to congressional jurisdiction? Second, the fact that most Indians were excluded from the american political process because of their "alien" status and treaty-defined rights seemed largely trivial to the court. While the Supreme Court has on a few occasions declared acts of Congress invalid if they infringed previously recognized or congressionally created rights, the court has never voided a single congressional act because it diminished or abrogated an inherent or aboriginal tribal right.

In sum, when Congress generated Indian-related legislation by relying on its constitutionally enumerated and exclusive authority to deal with tribes, it is exercising plenary authority in viable manner, the Court continues to characterize tribal sovereignty as existing "only at the sufferance of Congress." And with regard to tribal property? The court has held that Congress has "paramount power over the property of the Indians," *U.S. vs. Sioux Nation*, 1980.

The most devastating plenary power case, *Lone Wolf vs. Hitchcock*, 1903, dealt specifically with whether Congress had the power to abrogate treaty-recognized tribal property without tribal consent. In ruling against Lone Wolf the Court unanimously developed an interesting set of rationalizations, in part to protect the rights of the white squatters who had already infringed upon the tribe's land with prior presidential support via a proclamation in 1901, and to confirm Congress' abrogation of treaty rights. The Court relied on the so-called "dependent" relationship which, when so defined, gives the United States a status as guardian and protector of tribes. Second, the Court created a falsehood of a national security question when it alleged that the United States "in a possible emergency" needed unlimited power to act. No specific "emergency" is ever described by the justices. In fact, the subject of ratification of the 1892 agreement had been an ongoing issue for nearly eleven years. Nevertheless, these two factors enable the Court to fashion an opinion devoid of any constitutional phrases and which literally extended to Congress almighty authority over tribal treaty-based political and property rights.

The court went so far as to say that "plenary authority over the tribal relations has been exercised by Congress from the beginning, and the power has always been deemed a political one, not subject

(continued next page)

(Genocide, cont.)

to be controlled by the judicial department of the government." The court continued by noting:

> *The Power exists to abrogate the provisions of an Indian treaty, though, presumably, such power will be exercised only when cir cumstances arise which will not only justify the government in disregarding the stipulations of the treaty, but may demand, in the interest of the country and the Indians themselves, that it should be so. When, therefore, treaties were entered into between the United States and a tribe of Indians it was never doubted that the* ***power*** *to abrogate existed in Congress, and that in a contin gency such power might be available of from considerations of governmental policy, particularly if consistent with perfect good faith towards and Indians,* (p. 566).

Lone Wolf was a devastating blow to tribal sovereignty. Congressional plenary power unconstrained by the Constitution was interwoven with the political question doctrine and judicial consideration to the legislature to form an almost invulnerable buffer which could not recognize the possibility that tribal and federal interests could conflict. However, when there was a conflict, then clearly the federal had to outweigh the tribal. The Courts refusal to seriously examine congressional enactments violative of treaty property rights was a most oppressive blow, especially since the treaty route had been closed off in 1871 and since tribes remained outside the constitutional environment. It practically implants the doctrine that the red man has no rights which the white man is bound to respect, and, that no treaty or contract made with him is binding.

The Perpetuation of Falsehood

Cloaks have been reinforced and supplemented by additional legal gadgets which have been used to further reduce tribal sovereignty and sustain the historical and continuing «genocide-at-law» of Indians in north america. Two of the inventions are: 1) the federal «trust doctrine», (also known as the «trust responsibility» or «trusteeship»), what *Shattuck and Norgren, 1992,* termed «an illusion unsupported by legal authority» (p. 115); and 2) «incorporation,» (related to «implicit divestiture,» or alleged tribal «dependent status»).

The United States acts as a trustee for Indian land and other assets; however, the trust doctrine that became a favorite cloaking device *to dispossess Indians of lands, funds, resources, and rights,* was a radical transforming of the alleged «guardianship-wardship» relationship that was first manufactured by the Supreme Court in the 1880s and maintained by Bureau of Indian Affairs non-Indian officials during the next several decades. Tribal «wardship» gradually transformed into «trusteeship», which «reflected the continued, unflinching demand for tribal land coupled, at the end of the 19th century, with an intensified ethnocentrism within the United States to assert power over Indian governments» say Shattuck and Norgren, (p.115).

Remember, that while the United States habitually expressed this new relationship in legal terms, it, like the term «wardship,» has no legitimate legal basis. The foundation of the federal government's self-imposed moral obligations is to assist tribes in throwing off their alleged primitive way and become christianized americans. The Supreme Court added in 1877 that the United States «would be governed by such considerations of justice as would control a Christian people in their treatment of an ignorant and dependent race.» This type of morally steeped wording is widespread in a host of supreme court decisions dating back to the earliest urging of Justice Marshall and continues into the 20th century. And since the «trust» is composed of moral obligations, it is not legally enforceable.

Still, Congress continues to describe the United States' trust obligations to Indians: Reagan and Bush regularly spoke of the government's «trust responsibility» to the tribes, *Weekly Compilation of Presidential Documents,* June 14, 1991, and the BIA, acting as principal agent of the U.S. government, carries out most federal responsibilities for tribes including, but not limited to, the fulfillment of the «trust obligation to American Indian tribes», *News Release,* Jan. 29, 1992.

One of the most persistent riddles, clouding the federal government's fulfillment of its legitimate responsibilities to tribes is that of the inherent conflict of interest in the political branches administration of its duties to tribes, on one hand, and the american people, on the other hand. The question of the nature of congressional action to take tribal lands:

> *It is obvious that Congress cannot simultaneously (1) act as trustee for the benefit of the Indians, exercising its plenary powers over Indians and their property, as it thinks it is in their best interests and; (2) exercise its sovereign power of eminent domain, taking the Indian's property within the meaning of the Fifth Amendment to the Constitution. In any given situation in which Congress has acted with regard to Indian people, it must have acted either in one capacity or the other. Congress can own two hats, but it cannot wear them both at the same time, Three Tribes of Fort Berthold Reservation vs. U.S.,* 1968.

The Court began to discuss tribal sovereignty in *U.S. vs. Wheeler,* 1978, deriving a reasoning evident from the 1886 *Kagama* decision, by noting that «before the coming of the Europeans, the tribes were self-governing political communities.» Then from *Kagama,* «Indian tribes are, of course, no longer «possessed of the full attributes of sovereignty. Their **incorporation** (Implicit divestiture, sovereignty which has been lost by tribes «by implication as a necessary result of their dependent status») within the territory of the United States, and their acceptance of its protection, necessarily divested them of some aspects of the sovereignty which they had previously exercised» (p. 323).

Certain elements of tribal sovereignty, namely: 1) the tribes inability to freely sell their land to non-Indians without federal consent; 2) their handicapped right to enter contracts or agreements with foreign nations; and 3) their lack of criminal jurisdiction over non-Indians, rested, according to the Court, «on the fact that the dependent status of Indian tribes within **our** territorial jurisdiction is necessarily inconsistent with their freedom independently to determine their external relations» (Ibid.). However, «if an Indian nation is a nation, then its governmental powers cannot simply evanesce (vanish) and reappear in the hands of another government», Milner S. Ball, *Constitution, Court, Indian Tribes»,* 1987, such as that of the Unites States. He also analyzes that, «I can discover no incorporating event or series of events» which have incorporated tribes, besides the actual fact of their geographic incorporation, into the american polity. Ball notes the court's statement that because tribes came «under the territorial sovereignty of the United States» this also implied a loss of sovereignty. But as he says:

> *I am uncertain what that means. The underlying image appears to be that emigrants escaping to our (north american) shores, foreigners coming under the territorial sovereignty of a previously established power. Since it was the European emigrants who came under the territorial sovereignty of the Native American nations, the image is fundamentally confused. The phrase 'upon incorporation' invents a history that inverts the facts as well as John Marshall's theories (Ibid.).*

Conclusion

The diminished reality doctrines of plenary congressional power, the political question, and judicial honor, meant that Indian affairs operated in an extra-constitutional framework. At the same time, the increase and, convenient alterations (to the point of being humorous) of the «trust» theory gave the United States virtually unlimited authority over Indians and their rights and properties.

On a lower tier, the Court occasionally imposed a set of legal «standards or regularity, calculability, and due process consistent with liberal principles of formal legal rationality», *Duro vs. Reina,* 1990. Scriptures of treaty interpretations (e.g., treaties should be construed as Indians understood them), insistence that congressional abrogation be based on explicit statements, and certain constitutional safeguards of individual Indian property rights, etc., were developed which often secured hard fought victories for tribes or individuals (Ibid). However, these victories were often protected only if they were phrased in terms ...so that the federal exercise of power is shielded from states, *Deloria,* 1988:264.

«Indian law is a race law», says James E. Falkowski, *Indian Law/Race Law:A Five Hundred-Year History,* 1992. There is ample evidence to support his more historically and culturally accurate assertion that from the earliest period of contact between indigenous people and peoples of the Western world that there were «two systems of law — one applying to «civilized» peoples, and the other applying to the so-called «backwards races», (Ibid). During the 100 years or so, the vitals of cross-cultural and cross-political parallels have perplexed the correlation between tribes and the United States.

Indian law, an ill-defined american creature which neutrally stated includes a blend of Western and indigenous roles, personalities, historical and current events, ad-hoc federal Indian policies and tribal responses, a multitude of regulations on all levels (federal, state, tribal and even municipal), and an erratic collection of case law, also on multiple levels, has been drenched with the unpredictability of history. The historical past, in fact, both haunts and stimulates the old/new field of tribal, federal, legal relations. Tormented by paternalistic, racist, Indian-hating attitudes, the outmoded theory of Social Darwinism, resolute challenges to the national government's elite power to regulate Indian affairs, and threats to so-called national security by other nation-states. It is illuminated by the democratic (both indigenous and american) ideals of consent, concern for justice and humanity, and tolerance of diversity.

The various nation-states of the world have an chance to begin the process of correcting the countless persist deviation in political/legal power that still dominate indigenous/non-indigenous relations. The United States could begin by renouncing the use of plenary power (read: virtually absolute), and the doctrine of discovery. It could promote vastly improved intergovernmental relations by returning the basic political principles outlined in the Northwest Ordinance of 1787 which stated that «the utmost good faith shall always be observed towards the Indians, their lands and property shall never be taken from them without their consent.» Until these and other developments become reality tribes will remain locked in an obscene, prejudiced, political dependent relationship transmuted unilaterally by the federal government *without* tribal consent. ◆

Lawyers Demand Reporter's Reinstatement in Political Rights Case

Sandy Nelson Defense Committee

The political rights case of Tacoma journalist Sandy Nelson will take a major step forward when Nelson files a motion for summary judgement, urging the Pierce County Superior Court to immediately reinstate her to her reporting job at *The News Tribune*.

The motion asserts that Nelson's 1990 banishment to an evening, copy-editing job because of her off-duty work on a gay-rights ballot initiative violates the state constitution and the 1992 campaign reform law that prohibits employers from discriminating against workers on the basis of their political activities. The motion informs the court that a trial is unnecessary since *The News Tribune* admits it transferred Nelson because of her off-duty activism.

At the time of her involuntary transfer, Nelson was a veteran, award-winning education reporter for the *TNT*. She was also active in a grassroots effort to ban housing and employment discrimination against gay men and lesbians in Tacoma.

When the gay-rights initiative failed in Nov. 1990, Nelson's bosses told her they would return her to reporting only if she would cease all political activity off the job. The *TNT* contended Nelson's activism undermines the newspaper's "appearance of objectivity."

Nelson sued the *TNT* in June 1993 with representation from ACLU-affiliated attorneys William Bender, Paul Chuey and James Lobsenz. In their summary judgement motion, Nelson's lawyers inform the court that:

• The newspaper violated Nelson's rights under a section of the Washington state constitution that "the first power reserved by the people" is to make law through ballot initiatives. "Nelson's right to participate in a ballot initiative outweighs any private property right that *The News Tribune* might have in maintaining an apolitical workforce."

• The *TNT* violated the free and open elections guarantee of the state constitution by limiting employee participation in an election campaign. While the newspaper didn't deny Nelson the right to vote on the initiative, "it has denied (her) the opportunity to participate freely and openly in an election campaign; it has stilled her voice and prevented her from discoursing on political subjects with her fellow citizens."

• The *TNT* violated the law passed as part of Initiative 134 in 1992 that states "no employers or labor organization may discriminate against an officer or employee in the terms or conditions of employment for...in any way supporting or opposing a candidate, ballot proposition, political party or political committee."

Washington courts have their first opportunity to interpret this new statute in Nelson's case. Rulings on similar statutes in other states uphold the right of workers to participate in politics without fear of employer retribution, Nelson's lawyers stress.

"All Washington workers—not just journalists—have a stake in the outcome of this case," Nelson said. "A victory will strengthen our right to organize politically to advance our interests and to protect ourselves from increasing encroachment by employers."

The Sandy Nelson Defense Committee recently received donations of $1,000 each from the Washington State Labor Council and the International Convention of the American Federation of State, County, and Municipal Employees "because workers have a vital interest in the principles of this fight," Nelson said.

SNDC chair Robert Guerrero noted that the case has attracted support from free-speech advocates around the world and continues to generate widespread media coverage. More than 15,000 people in the United States and 12 other countries have signed petitions demanding that *TNT* publishers immediately reinstate Nelson, and hundreds of individuals and organizations have endorsed the lawsuit and contributed to the Defense Committee's publicity campaign.

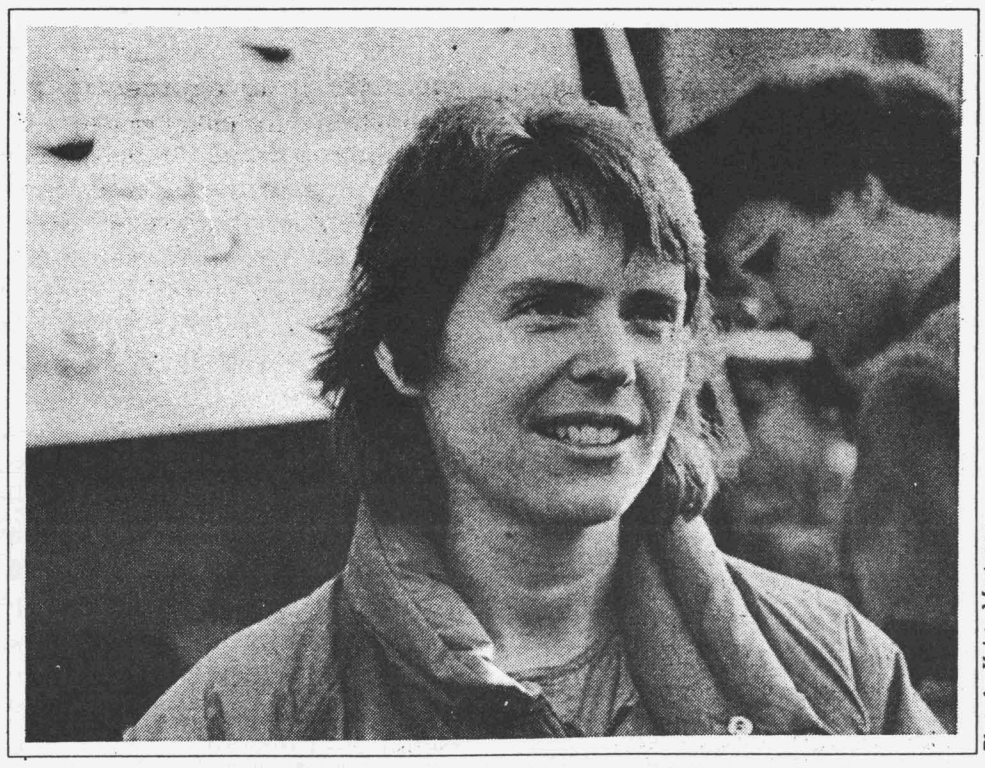


Photo by Krista Mortensen

After years of coverage in national labor, Left, gay, feminist, and journalistic publications, Nelson's struggle is gaining support from more and more of her peers in the mass-circulation media.

More than 15,000 people in the United States and 12 other countries have signed petitions demanding that* TNT *publishers immediately reinstate Nelson...

Nationally syndicated columnist and media critic Norman Solomon recently finished a speaking tour of Seattle and Portland to raise support and money for Nelson's case. And in followup articles on the Solomon forums, Portland *Oregonian* columnist Steve Duin and former Bellevue *Journal-American* editor Frank Wetzel praised Nelson for challenging the double standard whereby publishers retain their political rights while requiring front-line reporters to surrender theirs.

"The community will benefit from Sandy's fight to stay in the mass-circulation media," Guerrero said. "In fact, the public is best served by reporters like Sandy, whose community involvement brings her closer to the readers she serves and makes her more knowledgeable about community issues."

Nelson is requesting that the court rule in her favor on the summary judgment at a pretrial hearing set for November 18. Her lawsuit seeks reinstatement to her reporting position with a guarantee of no retaliation and full rights to political activism off the job. She is seeking damages for lost past and future wages and attorney fees.

For a copy of the motion or to contact Nelson, please call the Sandy Nelson Defense Committee office at (206) 756-9971. SNDC chair Robert Guerrero can be reached directly at (206) 627-5267. The SNDC meets at 7pm on the first Wednesday of each month at the Tacoma Public Library, 1102 Tacoma Avenue South, Tacoma. ◆

More butch than Pauly Shore,
more femme than Paula Poundstone...
Romanovsky
&
Phillips
Friday November 11th
8 pm in the library lobby
The Evergreen State College
$8 students/KAOS members or $12 general
brought to you by S&A Productions
and K.A.O.S. Community Radio
tickets available at TESC Bookstore, Rainy Day and Positively 4th
Call 866-6000, ext. 6222 for additional information

Peace

Peace became plausible
Peace in my head
Peace replaced pain
Peace eliminated puzzlement
People need peace
Peace in pluralism
Ponder peace if you're perplexed
Pusillanimous folks really should try peace
Perpetual peace is at hand
People in peace
A piece of peace

Yvonne McDonald

Saving America with Incentive Taxation

Marvin Saillard

Investment in people and capital creates jobs and earned incomes. Investment in land creates unearned income for landowners and poverty for laborers. No one can live without access to land. Every job utilizes labor working on land, while using products taken, or made, from land, to product economic wealth. Economically speaking, land is all the natural world outside of people and their products. Products used to satisfy the human desires of consumers is economic wealth. Wealth that is used to create more wealth is capital.

A free market economy is one in which people are free to work on land and use products of land to produce economic wealth, and are able to exchange what they have produced for what they need and desire. High prices can be overcome by competition and the law of supply and demand. A successful competitor can produce more of the same product, or a suitable substitute, sell it for less, and still make a satisfactory earned income.

Since land is a gift from God to all people, no one is able to produce more land in order to counteract high land prices. the land price component of product prices can only be offset by utilizing land more efficiently and more productively. Land can be more productive due to advantages of location, due to the benefits of incentive taxation, and due to more intensive economic utilization of its location.

If incentive taxation were to collect much, or all, of the community-created rental-value of land as public revenue it would encourage landowners to make the most economically advantageous use of their land so that they could afford to pay the land-rent to the government as public revenue, and still have enough left over to provide themselves with a comfortable earned income. A tax on land-rent cannot be passed on in higher land-rents on land because the tax cannot reduce the supply of land in order to activate the law of supply and demand to raise land prices.

Judging from what they sold their land for, I do not believe that Yard Birds ever had to pay taxes on the true market value of their land...

Disincentive taxes on homes, businesses, occupations, buildings, and improvements, discourage landowners from developing their land in a manner beneficial to the community, encourage them to allow their property to deteriorate into slums while they speculate on inflated land values bringing them unearned profits when they sell their land in the future. Land speculation, and deteriorating property, destroys existing jobs and prevents the creation of new jobs, thereby creating unemployment, poverty, homelessness, and a host of other economic and social problems.

Drive through downtown Olympia and you can see why we have unemployed people in Olympia. We have an oversupply of idle land and deteriorating property that prevents our community from providing anything close to full employment. The disincentive taxes used to finance

government programs to alleviate social and economic problems lead to more poverty, vice, crime, and violence. Instead of solving problems with disincentive tax money, more and greater economic and social problems are created by further destruction of the ability of and incentive for people to produce in order to satisfy their needs and desires.

The most effective way to initiate incentive taxation is through adopting the two-rate (aka two-tier) property tax system. An intermediate solution would be to tax all downtown land based on its present market value. Judging from what they sold their land for, I do not believe that Yard Birds ever had to pay taxes on the true market value of their land, and neither did the owners of the land where the old Miller building was located.

Application of the current disincentive taxes would never encourage private enterprise to develop any downtown site for the use most beneficial to the community. Replacing all disincentive taxes with a tax that collected the community-created rental-value of land az public revenue would encourage every landowner to put their land to the use best suited for that location, or sell it to someone who would.

It is time for us t give private enterprise the incentive to use our land more effectively and more beneficially in order to create full employment in our communities. When the community-created land-rent is not fully taxed, the net land-rent-after-taxes provides the land owner with an unearned income from his investment in land, and with an unearned profit when he sells his land. ◆

Attack the Drug Cartel

Marc Brodine

An anti-crime wave is sweeping through the media and politicians. Overcrowded jail cells and drug czars are prescribed like valium – except for being more expensive and having more serious side effects. "Three strikes, you're out" is like surgery with a sledgehammer, or performing a radical mastectomy for prostate cancer.

The pundits argue that drug cartels, allied with corrupt governments, are destroying our country. If it takes "no knock" SWAT teams invading houses and apartments at will they say, we the citizens must support them.

I'm ready to do my part. I know of the whereabouts of a massive organized drug cartel, supported by a corrupt government, and I want to take this opportunity to inform the proper authorities.

This drug cartel, seldom convicted, seldom publicly exposed, but known to all as a purveyor and transporter of cocaine, will be hard to capture. Armed to the teeth with the most sophisticated technological weapons money can buy, it hides with the machinations of demagogic politicians anxious to do its bidding. Its easy access to the corridors of power, its use of the most advanced intelligence gathering equipment, its ruthless pursuit of power to attain its evil designs, all make it a difficult enemy to defeat.

In order to capture and disable this despicable pusher, a massive drug-fighting apparatus must be assembled, bigger even than Clinton's crime bill envisions. I propose that the FBI be in charge of mobilizing all the SWAT Teams from all the police departments of our great nation, to form a mighty strike force capable of launching a frontal attack, automatic weapons blazing, tear gas grenades exploding, tanks crushing, complete with the largest panoply of incomprehensible bullhorns ever assembled.

My humble part in this operation: simply to do my job as a citizen by informing the properly constituted authorities (are they constituted? or re-constituted like orange juice?) of the location of these drug dealing vermin, these despicable criminals, these creatures who gnaw at the roots of our great democracy. I say, "Root them out, crush them, squash them, send them to jail for multiple life terms!"

The drug cartel to which I refer? The CIA? Location: Langley, Virginia.

I know that our dedicated police forces, now that they are in possession of this information, will do their job. I can see the great no-knock attack proceeding across the lawn of CIA headquarters, holding their police badges high!

Marc Brodine lives in Seattle. Reprinted form the June 4 issue of the People's Weekly World. ◆

The WILD SIDE NATURE STORE

MON-SAT 10:00-5:30

Field Guides - Checklists
Bird Recordings
For Your Own Backyard or Around the World

507 Washington Street SE
Downtown Olympia
206-754-8666

SINGLES ONLY
VOICE PERSONALS CLUB
NO "900" Number !
NO Per-Minute Charges !
- Unlimited Messaging -
ONLY $14.95 PER MONTH !
For more information call
438-3705, Box 3100

David Barsamian

Community Radio as a Tool for Social Change
Library 2100 Lounge The Evergreen State College
7:00 p.m. Thursday, November 10th

Media and Propoganda
Library Lobby The Evergreen State College
12 noon Friday, November 11th

David will be discussing Iraq and the Gulf War, the current situations in the Middle East and Haiti and the mass media's role in the manufacture of consent. David Barsamian will also talk about alternative media and the possibilities for independent creative responses to corporate control.

David Barsamian is a noted radio producer, journalist, author and lecturer. His interviews and articles appear in *Z, The Progressive, Harper's* and other magazines. He is the author of four books including, most recently, *Keeping the Rabble in Line* with Noam Chomsky and *The Pen and the Sword* with Edward Said. He produces the Alternative Radio program heard on KAOS 89.3 FM Mondays at 9:00 a.m.

For info call Pete Bohmer 866-6000 x6431

(Justice, cont.)

guilty. I don't know that. I going to listen to every side, I'm going to weight *everybody's* credibility, I'm going to apply the law the best I know how and then I 'm going to come up with a decision. If they are found guilty I'm still going to treat them with respect. I just don't understand what end would be served by not doing that. When they come out of there, right or wrong, guilty or not, you want them to have respect for the system.

This is a monumentally wonderful system, I love working in it. I don't want people coming out of it angry, feeling torn down and abused as well as losing respect for themselves. You have to remember that 90% of the people who come in to the court are just nice folks, nice folks who made a mistake. They'll going to be there once and we'll never see them again.

"You have to remember that 90% of the people who come in to the court are just nice folks, nice folks who made a mistake. They'll going to be there once and we'll never see them again."

What happens to these people when they are mistreated in court?

If people go to court to honestly tell their stories, and are abused and treated disrespectfully, then my experience is they will lose their respect for the court. They won't cooperate, they won't pay their fines, they won't get into the programs they are supposed to. What then happens is that it drags out and we ultimately end up with a crowded prison.

In fact, we [Thurston County] have, per capita, the most crowded jail in this entire state. It's not repeat or violent offenders. Most of those guys are first time offenders who have failed to comply. And I know why. They were treated with disrespect and decided, "screw the courts."

Another indication that the system is too crowded, is that in our jail those committing misdemeanors out number the felons three to one.

Is it usually the other way around?

Right. We actually have misdemeanors sitting in jail for three years and we're paying for it. In so many ways that you can't imagine, we are paying for it.

Who are these people?

They are the ones who don't comply with court orders because they were treated with disrespect and who are missentenced. Take for example, a guy who is a logger. He's out of work now for six months and he gets into some trouble. What's the effect of imposing a five hundred dollar fine? It's not going to get paid. He's going to go home, make the payment on his trailer, pay his propane gas bill, and food. He's going to pay for insurance for his car because he's got to get around. Is he going to pay his fine? No.

My opponent doesn't have the time or inclination to listen to the details of somebody's life and mold the punishment to it. It's much easier not to care. I've been a judge and it's true. It would be much easier to just say "look, I don't want to hear this. Five hundred dollar fine, ten days in jail, whatever. All jail time suspended, I'll see ya in a year."

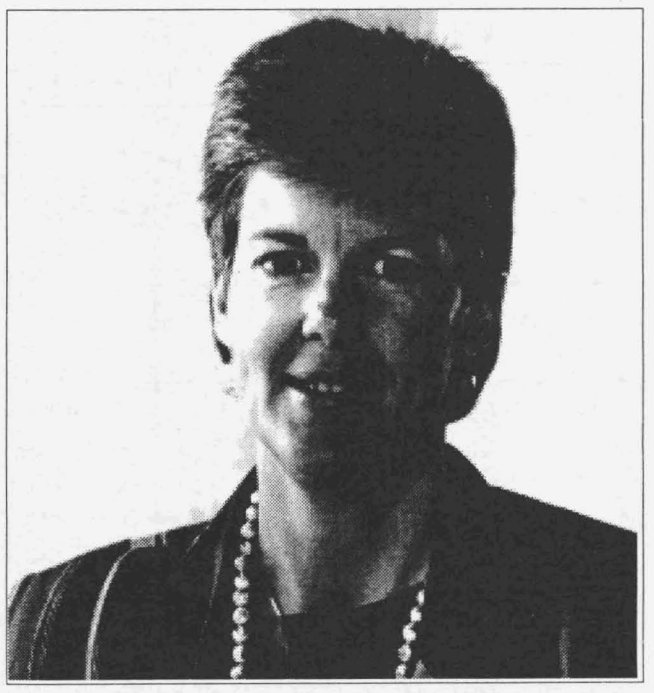
So your problems are not my problems, you commit the crime, you pay no matter what it does to you?

Right, except the point is, it's not just *their* problem, it's going to be our problem because he's not going to pay his fines. He's going to come back in front of the court, and what happens if you don't pay your fine? Thirty days in jail.

Is the purpose of fines and jail time to punish or rehabilitate?

That's probably the biggest debate in this country right now: rehabilitation verses deterrence. Most people are not the least bit interested in rehabilitation. What they want is deterrence, they want them punished, they want them punished hard so they won't do it again. However, it's just not that easy. That "simple solution" is not going to address what is going on out there. It ignores the social/economic problems that lead to child abuse, to alcoholism and drug abuse. It's another way of saying "we're not responsible for all that stuff." And in some aspects that's true, but in the last analysis we must offer them ways to overcome their situations.

Talking about rehabilitation is just acknowledging reality and not a sign of weakness. If we don't provide them some help, if we don't at least just give them the opportunity to get help, they're going to be back and they're going to be back, and they're going to be back.



We need to get them access to alcohol programs sooner, get them into batterers' treatment or domestic violence programs like SafePlace. If we can utilize what's out there, then we will have done our part. We've said to them "Hey, I can't correct all the things that happened to you as a kid. I can't correct society's mistakes, but what I can do is, on your first time, give you access to the system. Your part is to take advantage of it."

A* Time *magazine article mentions that punishment does not deter crime.

The idea that punishment deters crime is a cop out. It's a simple response to a vast and complex problem. If we think about poverty and abuse and such, it's overwhelming. Peoples eyes glaze over when you talk about what we need to do. I'm just saying that deterrence is a short term, simple answer to a complex problem. As long as we don't address the entire situation, the problem is going remain and we're going to pay the cost in the long run. It costs fifty-five dollars a day to keep a person in jail. So if we go back to the logger, instead of a 500 dollar fine, we give him community service. Would somebody give me the down side to that? There is no down side to that.

When I was a juvenile court probation officer in Seattle, I got this kid. His name was Ira. I meet him when he was fourteen years old and though it was his first time, his case file was thick. I opened it up and there were pictures of a little kid: a little baby beaten to a bloody pulp. These were pictures of Ira taken at Children's Orthopedic Hospital. Guess why Ira was arrested? Assault.

If this were to happen now I would want to say to Ira, "Look, I can't change things that have happened to you. So the first time you come to this court, I'm going to give you a hand. If you need some help, if you want some help, we're here. The second time you come to this court, you're going to do some time. The third time you come to this court, I'll send you to an institution. Now you have some choices."

Plea bargains seem to have become more common . . .

Yes, if you have an attorney, a private attorney they are the rule not the exception and if people knew that it would blow them away.

And if you don't have a private attorney?

Much less likely to get any kind of a plea bargain.

If you are able to get a plea bargain, is it as good as the plea bargain a private attorney would get?

If they do get a plea bargain, it's probably because the prosecutor has a weak case, and has threatened the defendant enough where he'll take the plea bargain. If the prosecution has a good case, they'll only be making a plea bargain with a private attorney. A lot of this comes down to how crowded the court is. If you don't divert the 90% of nice folks to something like community court, you're going to have too many plea bargains.

Do you recognize things aren't fair?

Yes, and I know why. The system is just too crowded. We just can't take the time. The community court system, geez louise, would be the cat's meow. It would solve so many problems. Just think about it. People getting involved in the system. If you leave this system to lawyers, you are doomed, take my word for it. The more people pull away from the courts, the less they understand. The more disenfranchised they feel, the more contemptuous they get of court, and the more contemptuous the court gets of them. It's so easy for a judge to say, "You don't understand, you have no concept of

(Continued next page)

"The more people pull away from the courts, the less they understand. The more disenfranchised they feel, the more contemptuous they get of court, and the more contemptuous the court gets of them."

SAN FRANCISCO STREET BAKERY
organic grains
1320 san francisco NE olympia 753-8553

Rainy Day Record Co
FANTASTIC SELECTION OF RECORDS, TAPES, COMPACT DISCS & INDEPENDENT RELEASES
SPECIAL ORDERS WELCOME
WE BUY MUSIC FROM AROUND THE WORLD
357-4755
WESTSIDE CENTER
DIVISION & HARRISON

1993-1994 Legislative Report Card

Bill #	1338a	1443	1445	1569a	2153	2154	2197	2319	2443	2464	2798	5474	5509	6003a	6087	LA %	WWU %
LA View	Yes	Yes	Yes	Yes					Yes			Yes		Yes			
WWU View		Yes	No		Yes	Yes	Yes	Yes	Yes	Yes	No		No		Yes		
District 18																	
Linda Smith	No	O		No	No	Yes		No	No		Yes	No	Yes	No	Yes	0%	28%
District 20																	
Dave Chappell	Yes	No	Yes	No	Yes		Yes	No	No	Yes	Yes	Yes		No		42%	37%
Bill Brumsickle	Yes	No	No	No	Yes		Yes	No	No	Yes	Yes	Yes		No		28%	37%
District 22																	
Sandra Romero	Yes	Yes	Yes	Yes	Yes		E	Yes	Yes	Yes	No	Yes		Yes		100%	85%
Cathy Wolfe	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes		Yes		100%	87%
District 35																	
Brad Owen	Yes	O		No	No	Yes		Yes	Yes		Yes	No	Yes	No	Yes	33%	57%
Barbara Holm	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	No	No		Yes		85%	100%
Tim Sheldon	Yes	No	No	Yes	Yes		Yes	No	Yes	No	Yes	Yes		No		57%	37%

Key: "Yes" = yes vote; "No"= no vote; "O"= opposed; "E"=excused; blank space indicates did not vote on bill.

What All The Numbers Mean

1338a Health Care Facility Access. Makes it unlawful to wilfully or recklessly interfere with access to a health care facility. This bill passed.

1443 Prohibiting Discrimination. Would have expanded the jurisdiction of the state Human Rights Commission to include practices of discrimination based on a person's sexual orientation.

1445 Discrimination Law Expansion. Would have extended non-discrimination statutes, which currently cover businesses employing 8 or more workers, to all employers. This bill was approved by the House in 1993, but died in the Senate. (Note: WWU did support passage of this bill but not with the proposed amendment attached)

1569a Malicious Harassment. Extends coverage of WA malicious harassment statute to include crimes motivated by bigotry and bias against people based on their sexual orientation and gender. This bill was approved by the Legislature and signed by Lowry in 1993.

2153 Measure requires the Office of the Superintendent of Public Instruction to develop sexual harassment policy criteria for school districts. Bill passed.

2154 Establishes procedures to provide specific protections and rights to residents receiving long term health care. Bill passed the Legislature.

2197 The bill strengthens notification of a witness or victim upon release of an inmate. Bill passed.

2319 Omnibus Youth Violence Bill. WWU supported this legislation because of the prevention programs included, such as funding for domestic violence, the Safe Streets program, before and after school child care, child abuse prevention measures, youth suicide prevention, and authorization for the Drug Fund, which will help pay for services for chemically dependent pregnant and parenting women. The bill also includes family services restructuring, which will give communities more input on how to most efficiently and effectively serve families in their communities. Most of the arguments against the bill were based on the fact that it emphasized too much prevention and not enough "lock 'em up" measures. The reality is the state can no longer afford prisons as the only answer to its problems. Bill passed the Legislature.

2443 Seasonal Worker Health Care. Removed seasonal worker (such industries as agriculture, food processing, and tree planting and harvesting) exclusion from health care benefits. Bill passed.

2464 Would have changed the provisions for zoning of family day care providers home facilities. Bill failed to pass.

2798 Vote recorded herein refers to an amendment to the welfare reform bill. This amendment would have increased the age of child from one to two before a welfare recipient would be forced back to work or be penalized 10% of their grant. The actual vote was to reconsider the passage of this amendment. A YES vote reflects a legislator's disposition to oppose this *good* amendment and apply penalties when a child is one year of age. This vote to reconsider failed.

5474 Disability Discrimination. Expands the definition of disability to allow the use of guide dogs, extends coverage of non-discrimination laws to people over 70 years of age, and increases the maximum penalty for humiliation and mental suffering arising from instances of discrimination to $10,000. Bill passed.

5509 Measure would have prohibited a judge from ordering post-secondary education in child support orders *under any circumstances.* Bill died in House.

6003a Sexually Explicit Materials. Would have prohibited the display, sale, or distribution to minors of sexually explicit films, publications, and devices. While the intent of this legislation is laudable, this bill was vetoed by the governor in 1994 on constitutional grounds because it was "overly broad, vague, and ambiguous" in a number of respects. A WA court already had ruled that a similar 1992 law was unconstitutional, noting that the methods of protecting minors from so-called "erotic music" were flawed, encroaching on the constitutional rights of adults while not necessarily accomplishing the goal of protecting minors.

6087 this bill provided for improved health and safety measures for farm worker housing. Bill did not pass.

For more info write/call:

Washington Women United
Ann Simons, WWU Lobbyist
PO Box 2174,
Olympia, WA 98507
(206) 754-9880

Lavender Action
PO Box 7703
Olympia, WA 98507
(206) 943-4662 ◆

(Justice, cont.)

what's going on up here. We're the one's who know what's going on." Now if the community is involved, defendants will not leave disenfranchised. The community will be involved and know what's going on.

You have said before that a successful component of the community courts is that they spend the time to get to know the people who come before them.

Right. Say a person goes before her local community court for shoplifting. Since she lives in the community, people are likely to know her. They will only have maybe five cases on that night and instead of the fifty that are scheduled in district courtroom. So they can take the time to get to know her, hear her case, and then come up with a punishment if she is found guilty. A community court is just more appropriate for that person. It's much more appropriate than district court.

Is a community court really effective?

Yes, and it gives the people in the community a sense of what's going on with other people. She shoplifted because she lost her job and AFDC doesn't kick in for sixteen weeks. The kids are hungry, it's the beginning of school and they need school clothes. The people in that community need to know that situation exists. I don't want communities insulated from reality. People would see her, she would have the chance to pay her debt. She pays her debt, everybody's happy.

Are you saying this would create a stronger community?

Oh, yes, absolutely. ◆

Homeless News & Views Record

These candidates were/are against using the Federal Building as transitional housing.

Candidate	Against Use
Jolene Unsoeld	✔
Sandra Romero	✔
Cathy Wolfe	✔

Ten good reasons to vote yes on the Olympia Farmers Market

#1. Lacey Farmers Market just doesn't have the same ring.
#2. It provides good starter jobs for many kids.
#3. With NAFTA and GATT getting pushed on us, we will continue having a healthy supply of local fresh grown produce and be assured that our money will stay in this region, not be funneled else where and used to exploit third world labor and destroy their natural ecosystems.
#4. Tourist dollars $$$.
#5. Lots of funny looking people running around with balloon hats and painted faces.
#6. Its vibrant,its alive, and you can haggle over a price.
#7. Where else can you shop and buy; fresh salmon, a variety of herbs, two carrots, quart of apple cider, one blue berry turnover, and a fine home made basket, from its crafter, all in one stop.
#8. Shopping at the market is a fine way to tie in with community.
#9. None of the sales people have to wear silly demeaning uniforms.
#10. What would you really rather listen to, musak or marimba?

Mikel Pelly

"Dispenser of Wrath" Challenges Unsoeld

Curt Pavola

A friend of the progressive community is in need. She's being targeted by someone who represents the antithesis of our beliefs. She's facing a so-called "army" of "zealot followers" who would take great pride and joy in trashing everything that liberal-minded, environmentally conscious, working people have achieved for our country.

State Senator Linda Smith would discard the progressive policies that Congresswoman Jolene Unsoeld and the Democratic majority have enacted. Smith has voted against school breakfast and lunch programs, against the minimum wage, against family and medical leave, and against civil rights issues of all kinds. She entered politics, she admits, solely to make abortion illegal in Washington state.

What's more, Linda Smith has supported a bill outlawing sexual contact for anyone under the age of 18 except spouses, sarcastically nicknamed the "heavy petting bill." She's supported a bill to replace no-fault divorce with restrictive laws. She's supported mandatory drug testing of all newborn infants.

Even before the final votes were tallied in her write-in primary election bid, Linda Smith flew to Washington, D.C., to join the national Republican leadership in signing their "Contract with America," which is nothing more than warmed-over 1980's policies that granted tax cuts to the wealthy, gutted social programs, and launched the budget deficit into it's current orbit.

...with Linda Smith we suffer flashbacks to the mean-spirited, divisive, failed politics that voters discarded in 1992.

So with Linda Smith we suffer flashbacks to the mean-spirited, divisive, failed politics that voters discarded in 1992. It's fair, then, to ask "What do we get with Jolene?"

While Smith has built her nearly 80 percent name familiarity among voters in southwest Washington by relentlessly attacking government, Jolene has used government responsibly to improve our lives. She spearheaded key legislation to preserve the Northwest fishing industry, establish sustainable timber harvests, and create the Olympic Coast National Marine Sanctuary, which protects the Washington coastline against oil and natural gas drilling. Her unyielding commitment to environmental protection is balanced by support for local processing of raw logs, which creates new jobs, and various forms of aid targeting timber-impacted communities.

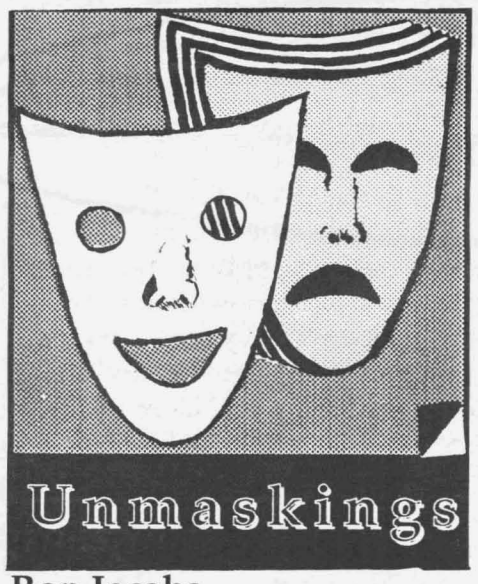
Jolene voted to expand the Earned Income Tax Credit for working class families, fought for full funding of Head Start, and wrote legislation protecting seniors from double-taxation of their pension benefits.

Jolene has consistently supported civil rights for all people, including the controversial issues of non-discrimination legislation for gay men and lesbians and the right to keep and bear arms. The latter has gotten her in hot water with many progressive voters, most of whom probably don't know that before Jolene's "no" vote on the crime bill this year--a vote motivated equally by the Second Amendment, inadequate provisions for racial justice, and the creation of 60 new federal crimes punishable by death sentence--she voted in favor of a budget that upgrades the Brady Bill's instant check provisions, increases funding for community policing, provides new money for drug courts, and establishes a new program to help stem violence against women.

On any issue, by any measure, Jolene Unsoeld is leagues beyond the reactionary malcontent Smith. Thurston County Republican Party Chairwoman Fiona Buzzard demonstrated perhaps the quintessential response to Smith's candidacy by resigning her post and launching a caustic attack against the "prickly," "anti-woman" candidate.

"I could not pretend she was a mainstream conservative," Buzzard said. "(Smith is) probably the least-liked Republican on the Hill....She is a mean-spirited woman and an equal opportunity dispenser of her wrath." Well put!

Vote for Jolene Unsoeld on November 8, lest we end up with a "dispenser of wrath" as our so-called representative in Congress. If you'd like to do more than simply vote, call her Olympia office and ask them how you can help, at 754-8380. ◆



Ron Jacobs

Working for Bernie

As surely as the nights grow colder and Mother Nature paints her impressionistic blur of colors worthy of Monet, Van Gogh, Cezanne, and all the rest rolled into one across the trees, it's election time again. In D.C., Bill Clinton wavers, and the rest of the bums deny us health care once again and argue over assault weapons and midnight basketball while they dream of PACs and new ways to lie about their failures.

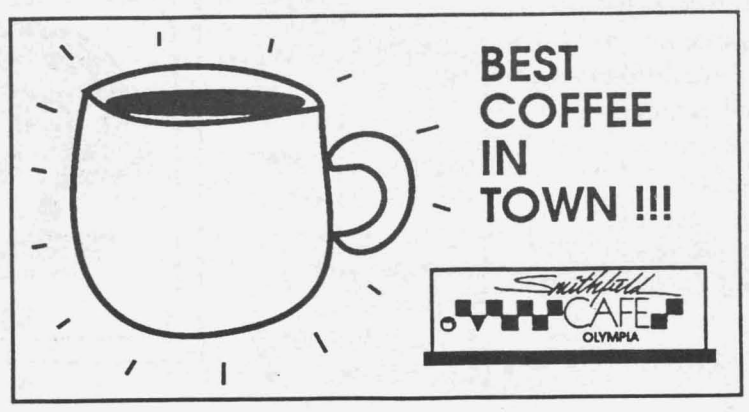
Not all of them, though. Here in Vermont, Bernie Sanders has somehow managed to remain pretty true to his promises and actually get some things done. His independent status surely must be a help. After all, since he belongs to no party, he owes no allegiances to any party's corporate sponsors. Indeed, each and every election year he must collect enough signatures to ensure himself a place on the ballot instead of depending on paid off party hacks merely handing him a nomination.

For the first time since McGovern in 1972, I find myself working for a political candidate. It's not that I'm completely sold on Sanders or his program, but I do agree with most of his positions, especially in the areas of worker and civil rights. To him, health care is not a matter of numbers, but a basic human right, as is a living wage and the right to strike. Consequently, he strongly supports the single payer system of health care, a six dollar an hour minimum wage, and the recently defeated bill in Congress which would have forbidden the permanent hiring of scabs. In addition, he is the sponsor of the Workplace Democracy Act, a bill which would, among other things, extend the coverage of US labor laws to workers employed by US owned companies located overseas, and repeal the Taft-Hartley provisions which make sympathy strikes and boycotts illegal.

Part of Sanders' effectiveness might lie in the smallness of Vermont and Bernie's consequent accessibility. People here are quite skeptical of any group who claims to be representing them, no matter what their politics. One example of this is Bernie's most vocal opposition this time around—the NRA. Although Sanders has consistently voted against most gun control bills, he recently voted for the ban on assault weapons included in the heavily contested crime bill. (A bill I hate for other reasons.) Because of this vote he is facing a small yet well-oiled and vocal fight from right wingers masquerading as civil libertarians who have just been waiting for some reason to get rid of him. Some of the same faces who opposed Sanders last time around because of his very visible opposition to the US slaughter in the gulf are now cloaking themselves in anti-gun control rhetoric.

...the electoral arena is where grassroots activists go when there is an effective anti-corporate third party. I still believe that our ultimate destiny lies in the streets...

After working a table for Bernie at the state fair recently, I found myself asking what I was doing supporting a political candidate in a system I have such little faith in. At the same time, I was amazed by Bernie's support from all kinds of folks. In a conversation with some fellow Sanders workers at a bar later, what I realized was that in a town relatively devoid of any mass-based grassroots politics, working for the Progressive candidates seems to be the place for left-oriented activists to be. In short, the electoral arena is where grassroots activists go when there is an effective anti-corporate third party. I still believe that our ultimate destiny lies in the streets, but putting leftists into the legislatures of the land can't hurt. We can always recall them. ◆



WORKS IN PROGRESS HISTORICAL CALENDAR

★★ NOVEMBER 1994 ★★

"May God write us down as asses if ever again we are found putting our trust in either the Republican or the Democratic parties." W.E.B. DuBois

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
November was the ninth month of the old Roman calendar. OCTOBER S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 DECEMBER S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 ○ full moon ● new moon		**1** 1890- Mississippi's new constitution restricts black suffrage to those who can read and interpret the Constitution of U.S. 1950- An assassination attempt against Pres. Truman by 2 Puerto Rican Nationalists	**2** 1903- Panama declares independence from Colombia 1906- Leon Trotsky exiled for life in Siberia 1963- A military coup backed by U.S. deposes the government of South Vietnam and murders President Diem and his brother	**3** ● 1813- Creek War in Mississippi Valley: U.S. troops destroy the Native village of Talishatchee 1883- Supreme Court rules Native Americans are aliens 1896- Idaho grants suffrage to women by popular vote	**4** 1647- The Massachusetts general court passes a law that makes heresy punishable by death 1879- Will Rogers born 1907- U S government forecasts timber shortage in 20 years 1979- US embassy seized in Teheran	**5** 1855- Eugene Debs born 1916- Everett massacre: At least six wobblies killed 1930- Sinclair Lewis wins Nobel Prize for his novel *Babbit*. Sinclair was 1st American to win the prize in literature
6 1913- Gandhi arrested by British troops in India 1971- Underground nuclear test was carried out on the remote Alaskan island of Amchitka. The Spartan warhead had a yield equivalent to 5,000,000 tons of TNT	**7** 1811- Native people led by The Prophet carry out a successful surprise attack in the Battle of Tippecanoe. U.S. troops are victorious though and razes Native village 1940- Tacoma: Galloping Gertie collapses during windstorm	**8** 1892- 20,000 black and white workers stage general strike, New Orleans, LA 1975- Charges against eight Ohio National Guardsmen stemming from the 1970 Kent State tragedy were dropped in federal court	**9** 1813- Creek War, Mississippi Valley: Maj. Gen. Andrew Jackson destroys the Native village of Talladega, killing more than 500 1938- "Crystal Night": Nazis roam the streets destroying Jewish synagogues, homes, and stores	**10** 1917- 41 suffragettes arrested outside the White House in Washington. They did nothing more than picket the White House with placards and posters demanding the vote, and drew sentences from 6 days to 6 months	**11** 1889- WA State admitted to the Union 1933- "Great Black Blizzard," first of the dust storms to lay waste in the Great Plains, sweeps over North Dakota 1938- Kate Smith sings "God Bless America" for 1st time	**12** 1775- General Washington issued order which forbade recruiting officers to enlist African-Americans 1815- Elizabeth Cady Stanton born 1908- Germany: 302 miners entombed in Hamm explosion
13 1909- Explosion kills 400 miners at Cherry, Illinois; mine deaths total 2,494 in last five years 1933- Workers in Hormel Packing plant Austin, MN stage "sit-down" strike, first recorded "sit-down" strike in the U.S.	**14** 1892- Without tangible gains , workers are forced to call off strike against the Homestead Mill 1908- Einstein presents quantum theory of light 1910- Welsh miners obtain wage hike, end strike	**15** 1806- Pike spots peak 1828- Creeks sign a treaty ceding what is left of their lands to the U.S. gov. 1965- Mandatory federal registration by American communists was declared unconstitutional by Supreme Court	**16** 1900- African-American youth burned at stake in Colorado 1928- Woman's Home Missionary Society cancels a lecture date with Miss Maude Royden, English Preacher/Bible teacher, after learning she smokes cigarettes!	**17** 1910- U.S. Rabbi Stephen Wise announces support for woman suffrage, declares "we have no democracy here, only manocracy" 1948- The House of Commons votes to "nationalize" British steel industry	**18** ○ 1964- J. Edgar Hoover characterizes MLK, Jr., as "the most notorious liar in the country." MLK, Jr. replies Hoover "... has apparently faltered under the awesome burden, complexities and responsibilities of his office"	**19** 1915- Joe Hill murdered by Utah authorities 1989- American astronomers announced they had detected a source of light coming from the edge of the universe and the beginning of time
20 1816- First use of term 'scab' by Albany Typographical Society 1962- Ex. Order signed banning racial/religious discrimination in housing built/purchased by federal aid 1968- Coal mine explosion kill 78 miners in Farmington, W Va	**21** 1962- Mississippi Senate approves a resolution expressing defiance and "utter contempt for the Kennedy Administration." The resolution blames the "ruthless and corrupted Administration . . . " for the riots	**22** 1909- NY female garment workers strike: 'Uprising of the 20,000'. Judge tells pickets 'You are on strike against God' 1916- Jack London, who suffered from depression, died of taking an excess of morphine	**23** 1170 BC- 1st recorded strike occurs in Egypt 1943- Billy Jean King born 1917- U.S. Supreme Court decision struck down Louisville, Ky., ordinance which required blacks and whites to live in separate residential areas	**24** 1901- Kentucky troopers burn striking miners' camp, 25 arrested 1953- Sen. McCarthy attacks former Pres. Truman's administration, said it was "crawling" with Communists 1963- Oswald murdered by Jack Ruby	**25** 1915- Almost dormant KKK revived in Atlanta by Col. Simmons 1955- Interstate Commerce Commission banned segregation in buses and waiting rooms involved in interstate travel 1971- D.B. Cooper jumped	**26** 1985- The rights to Ronald Reagan's autobiography were acquired by Random House for $3,000,000 1975- Pres. Ford announces support for federal bail out of New York City in the amount of 2.3 billion
27 1937- Members of the I.L.G.W.U. in N.Y. produce musical, "Pins and Needles", a clever plea for organized labor. Spectators and critics are impressed by the show and like a song called "Sing Me a Song of Social Significance."	**28** 1901- Alabama adopts new state constitution that requires literacy test and proof that one's grandfather was eligible to vote 1909- French National assembly offers working women eight weeks vacation after childbirth	**29** 1864- U.S. troops massacre Cheyennes in Sand Creek, Colorado ending "uprising" 1975- Legislation requiring states to provide free education for the handicapped from age 3 to 21 was signed by President Ford	**30** 1906- Roosevelt publicly denounces segregation of Japanese school children in San Francisco 1916- US troops place Santo Domingo under martial law 1924- Shirley Chisholm and Mark Twain born	**More than Pilgrims on board** Of the 102 that landed at Plymouth, only 41 were pilgrims. Forty-three were "Strangers", economic opportunists, and 18 indentured servants who were mostly owned by the Pilgrims. This venture, backed by British businessmen, was purely for economic reasons. The Puritans had found religious freedom in Holland, but few of the economic opportunities that Virginia, with its new crop of tobacco, could provide. Squanto, a Patuxet, was is the Plymouth area when they arrived. He had returned from England six months earlier to find his village swiped out by smallpox. The Europeans owe their survival of the first winter to this man.	**Submissions** If you want to call attention to a future or past event, please send necessary information to Works In Progress, PO Box 295, Olympia WA 98507, Atten: Calendar

★ *"America never was America to me"* ★
Langston Hughes